

9. Every such contract executed in India upon any such requisition shall have the same force and effect as if the same had been executed in this colony, and it shall not be necessary to the validity thereof to execute any further contract in this colony, and the coolie immigration agent shall deliver to each employer a return embodying the terms of such contracts.

10. The Immigration Agent shall board every ship arriving in the colony with coolie-immigrants, and shall ascertain and report to the Lieutenant-Governor the number of immigrants embarked in her, the state of their health, the number of deaths which have occurred on the voyage, and whether the provisions of the charter party, under which such immigrants have been conveyed from India, have been performed, and the said immigration agent shall thereupon assign the said immigrants in the manner provided by this law, and, till such assignment, shall provide them with proper and sufficient food and lodging: Provided that in such allotment the wishes of the immigrant shall, as far as possible, be ascertained and attended to, and that in no case whatever shall any husband and wife, nor any parent and child be allotted to different employers; and pending and until such assignment the coolie must work and obey the directions of the immigration agent, or such person, if required so to do by the immigration agent, or by the person in charge of the dépôt.

11. The Immigration Agent shall keep a "register," in which shall be inserted the names of all coolie-immigrants who may be hereafter introduced into this colony at the public expense, and shall number each of such immigrants by a particular number, commencing with the number next after the last number now recorded in the "register," and proceeding by numerical progression, and shall distinguish therein, under different heads, the number, name, age, and sex of every such immigrant, and the time when and the place from which, and the vessel in which, such immigrants shall have arrived, and also the amount of monies, if any, which may have been advanced to each immigrant previous to his embarkation, and which are to be repaid by such immigrant out of his wages in this colony.

12. It shall be lawful for the Coolie Immigration Agent to assign the services of any coolie-immigrants, who shall have executed the usual bond binding themselves to serve the Natal Government, to any applicants who may desire such assignment, at such rate of wages and on such conditions as to wages and food, as may have been stipulated in India by the Agent toward such immigrant: Provided, however, that the assignment of females and younger persons shall be only for such lighter varieties of labor as such female immigrant and younger persons are fitted for: And provided always that in any such assignment no coolies shall be assigned to any applicant other than to the applicant who applied for coolies previous to the Government sending for said coolies, until such applicant shall have received the number applied for by him.

13. The passage money of the said male immigrants introduced by any person at his own expense, together with all other expenses chargeable in respect of them, shall be paid by the person who made requisition for them to the Immigration Agent, before the immigrants shall leave the dépôt: such persons shall, at the same time, pay to the Immigration Agent the passage money and other expenses chargeable upon him, for and in respect of such proportion of females as, according to regulations, shall be required to accompany the said male immigrants from India; and such person shall, at the time of making such payments, be entitled to demand and receive, from the Immigration Agent, a certificate that such payments have been made, in which certificate shall be specified the amount paid, and the names and numbers of the several male immigrants, in respect of whom such payment shall have been made.

14. The person in respect of whom the services of any coolie-immigrant shall be in the first instance assigned or transferred, shall be bound to deduct, by monthly instalments of four shillings, from the wages of such coolie-immigrant, the amount mentioned in each assignment so advanced to such coolie-immigrant previous to his embarkation, and shall pay over the amount so deducted to the Immigration Agent; and the monies so paid over shall be paid by the Immigration Agent to the Colonial Treasurer for the benefit of the person by whom such amount shall have been advanced: Provided always that in case of default or neglect on the part of such other person to whom the services of any such coolie-immigrant shall be assigned, to pay to the Immigration Agent the amount of such monthly instalments on account of advances made to such coolie-immigrants, the same shall be recoverable in a summary manner before any court, on complaint to be laid in the name of the Immigration Agent.

15. Every person at whose instance, or on whose requisition, any coolie shall be brought into this colony, shall claim and remove such immigrant if such person resides within thirty miles of Durban within seven clear days, and if such person resides thirty miles or further from Durban, then within fourteen clear days after such immigrant shall have arrived at the dépôt at Durban; and in case of any default on the part of any such person or requisitioner to claim and remove such immigrant within the said seven days, or fourteen days, as the case may be, he, the said person or requisitioner, shall pay to the Immigration Agent, or to such other person as the Lieutenant-Governor may from time to time appoint, one shilling per diem for each immigrant, to cover the cost and maintenance of such immigrant for every day such coolie shall continue in the dépôt after the expiration of the said seven or fourteen days, as the case may be: Provided always that the Immigration Agent shall, not later than the day on which the immigrants arrive at the dépôt at Durban, transmit by post a circular to the re-

quisitionist notifying the arrival of the vessel with coolies, and stating the probable number for requisitionist: And provided always that, should any such immigrant be placed in quarantine, the date of his arrival at the depôt shall be taken to be the date of his release from such quarantine.

16. In case any person at whose instance, or on whose requisition, any coolie shall be brought into this colony, shall fail to claim and remove such coolie-immigrant as shall be allotted to him within fourteen days from the date of his arrival at the depôt, it shall and may be lawful for the Immigration Agent to assign any such coolie-immigrant to any other person willing to accept such assignment: Provided always that should the Immigration Agent so assign any such coolie-immigrant to any other person, the payment of one shilling per diem, as in the preceding clause mentioned, for the cost and maintenance of such immigrant at the depôt, to the date of such assignment, shall be paid by the said person or requisitionist to whom the said coolie was in the first instance allotted: And in case any such coolie-immigrant shall be so assigned to any such other person as aforesaid, he, the said other person, shall remove the said coolie forthwith from the depôt, under a penalty of one shilling and six pence per diem for each day the said coolie shall, by default of the said person, remain in depôt after the date of such assignment.

17. Any requisitionist may, with the leave of the Coolie, Immigration Agent, have any coolie-immigrant whom such requisitionist had applied for and who shall be under a contract to serve him or to serve any employer to whom he should be allotted, transferred to any other person upon production of an affidavit to the Coolie Immigration Agent that no consideration of value had passed or been promised for such transfer.

18. If, after the date when this law shall come into operation, the estate on which any immigrant shall be engaged to work shall be sold, alienated, or transferred to, or succeeded to by another person during the currency of the contract, the immigrant shall be bound to perform all the conditions of the contract to the new proprietor of the estate, who, in like manner, shall be held bound to perform the stipulations thereof incumbent upon the employer: Provided always that this provision shall only apply to such contracts in which it shall be embodied.

19. Upon any new proprietor being substituted under a contract in terms of the foregoing provisions, the former employer will be entitled to be freed from the obligations incumbent on him by the contract: Provided that he shall satisfy the Coolie Agent that the coolies will not suffer thereby, and provided that all arrears of wages be paid before the former proprietor shall be so liberated.

20. Every employer shall keep, or cause to be kept, in such manner and form as may be directed by the Lieutenant-Governor in any rules or regulations to be issued in that behalf, a book to be called a "wages book," and such book, if duly and properly kept and regularly entered up in accordance with such rules or regulations, shall be admissible in evidence in any court as *prima facie* proof of the amount due for wages to any coolie employed upon the estate in respect of which such book shall be kept, and such book shall at all times be open to the inspection of the Coolie Immigration Agent.

21. Every person to whom the services of such coolie-immigrant may be assigned or transferred, shall be bound to provide proper and sufficient medical care and proper and sufficient medicine and attendance for such coolie-immigrants, and to keep, or cause to be kept, a "general and medical register" book, in such manner and form as the Lieutenant-Governor may direct; and every employer who shall neglect to retain a duly qualified, licensed, and registered medical practitioner to attend upon the immigrants in his employ, or who shall fail or neglect to supply proper medicine or nourishment for any such immigrant when sick, or who shall neglect to keep such general or medical register book, or who shall wilfully ill-treat any immigrant in his employ, or who shall fail or neglect to supply to any such immigrant any article of food or clothing, or to pay any wages to which such immigrant shall be entitled, shall, on conviction thereof before any court, forfeit and pay such sum not exceeding £10 sterling for every offence as to the court shall seem fit, or in default may be adjudged to imprisonment not exceeding thirty days: Provided always that it shall be at the same time lawful for the Lieutenant-Governor, if he shall see fit, to determine the contract of service of such immigrant, and also of any other immigrants in the employ of the same employer, and to assign such immigrants to some other person for the residue of the original terms of service of such immigrants respectively.

22. In every case where a larger number than twenty indentured coolie-immigrants are, or shall be, in service on any one estate, or on adjoining estates belonging to, or in the occupation of, the same person, the owner or occupier of such estate or estates may be required by the Lieutenant-Governor, and when so required, shall be bound to have and maintain on such estate, or on one or other of such estates, as the case may be, a proper and sufficient building—to be approved by the Lieutenant-Governor, or by some person appointed by the Lieutenant-Governor—as a hospital for such coolies, and to have at all times therein a proper and sufficient supply of medicines and medical comforts: Provided that, for the purposes of this section, estates belonging to, or in the occupation of the same persons may be deemed to be adjoining estates, if situated within a radius of six miles.

23. It shall be the duty of every employer to send monthly a copy of the aforesaid medical register book to the Immigration Agent, or to such person as may be appointed by the Lieutenant-Governor; provided that the forms of such returns be supplied by the Government.

24. Every coolie-immigrant whose services may be so assigned or transferred, shall be bound to continue to work for the person to whom his services shall have been so assigned or transferred, notwithstanding that the estate of the person to whom his services may have been assigned or transferred shall be sold or demised, save as in the eighteenth section provided: provided always that any person to whom the services of any coolie may have been assigned or transferred, may assign or cede the services of any such coolie, with the consent, in writing, of the Immigration Agent, and such coolie shall be bound to serve such new master for the unexpired term of his contract; and in case of the death of any master or employer, the services of any such coolie of such master or employer shall endure for the benefit of the heirs and executors of any such master or employer.

25. Every such coolie-immigrant whose services shall be so assigned or transferred, in the absence of an express agreement to the contrary between such coolie-immigrant and the person entitled to his services under such assignment or transfer, shall be bound to work for such person to whom his services may have been assigned for nine hours of each day, Sunday, Good-Friday, Christmas-Day, and New Year's Day, only excepted: provided always that it shall be lawful for the Governor, with the advice of his Executive Council, from time to time to make regulations for allowing to Indian laborers such holidays, or days to be observed as religious festivals, as to him shall seem fit.

26. It shall be lawful for every person entitled to the services of any coolie-immigrant, or any servant of such person, or for any constable to apprehend, without warrant, such coolie-immigrant being found at a distance of more than two miles from the residence of the person in respect of whom his services shall be due, without a written ticket of leave, signed by the master or by some person duly authorized by him, and to cause such coolie-immigrant to be taken back to such residence.

27. It shall be lawful for the Immigration Agent, or resident magistrate, or any justice of the peace, or any police constable to stop any coolie-immigrant wherever he may find him, and also for the owner or occupier, or the servant of any owner or occupier of any land or house to stop any such coolie-immigrant found upon or about such land or house, and if such coolie-immigrant, being so required, shall fail to produce his certificate of residence, or a certificate of his discharge, or a written ticket of leave signed by his master or by some person duly authorized by him to whom his services may be due, to take such coolie-immigrant forthwith before some neighbouring resident magistrate, and such resident magistrate shall forthwith enquire into the case; and unless such coolie-immigrant shall make it appear, to the satisfaction of such resident magistrate, that he has completed such residence, or obtained such discharge, or that he is absent from the estate or residence of the person in respect of whom his services shall be due, with the leave of his master, or the manager, or other person in charge of such estate, then and in such case such resident magistrate shall make an order for the immediate committal of such coolie-immigrant to prison with hard labor for any term not exceeding fourteen days; and shall communicate to such master or employer the fact of such committal and the date of making the same, and the term of such imprisonment.

28. When a coolie shall have been three several times convicted and suffered imprisonment for the offence of absence from his master's service without a written ticket of leave, and it shall not appear to whom such coolie's services are legally due under assignment, it shall be lawful for the Coolie Immigration Agent to assign the services of such coolie to any person who shall be willing to accept and pay the charges of such assignment; and if no person shall accept such assignment within ten days from the release of such coolie from prison, the Coolie Immigration Agent shall assign the services of such coolie to the Colonial Government for employment in any public works: provided always that on every such case of re-assignment the Coolie Agent shall, when it can be ascertained to whom such coolie was originally assigned, pay to such original employer the sums paid by him consequent upon the original assignment of such coolie, less the sum of five shillings per month for each month such coolie served such original employer; and that after such re-assignment the original employer shall not be liable for any instalment of payment accruing after such re-assignment; and provided, further, that in case the original employer shall elect, he may call upon the Coolie Immigration Agent to cancel such second assignment and to have restored to him the services of such coolie, and such coolie shall be compelled to render such original employer actual service for the time he was originally assigned, and the person to whom such coolie was re-assigned, when such re-assignment shall be cancelled, shall be entitled to have repaid to him by the Coolie Immigration Agent such sum as he may have paid on such second assignment, minus the sum of five shillings per month for each month such coolie shall have served such second employer.

29. Any immigrant who shall unlawfully absent himself from work, shall (in addition to losing all claim to wages and allowances during such absence) forfeit a sum equal to one-half penny for each shilling of his monthly wages for each day's absence; and such sum may

be retained by the employer out of any wages which may be due by him to such immigrant previous to such absence, or which may be due thereafter: provided that, in the event of a complaint being made by such immigrant on account of the non-payment of wages so retained before any resident magistrate, the employer shall be bound to justify such retention to the satisfaction of the resident magistrate: provided, also, that should such unlawful absence exceed twenty-five days in any one year, the employer may claim in lieu of such period of absence, or any portion thereof, a prolongation of the contract for a period equivalent to two days for so many several days of such unlawful absence as shall not have subjected such immigrant to the fine aforesaid; the immigrant to receive during such prolongation of the contract wages at the same rate, and allowances on the same daily scale, as he would have been entitled to during the period of unlawful absence which shall have occasioned such prolongation of the contract.

30. Any immigrant, as aforesaid, who shall be guilty of any misconduct, or practise any fraud or deception in the performance of any work which he is bound to perform, or shall by negligence or other improper conduct lose, throw away, or damage the property of his employer, or shall endanger such property by the careless use of fire, or shall wilfully maim, wound, or cruelly ill-use any live-stock or cattle belonging to his employer or entrusted to his care, or by negligence shall suffer to be maimed, wounded, or cruelly ill-used any such cattle or live-stock, shall, on conviction before any court, suffer such punishment, by fine or imprisonment until the same be paid, or imprisonment with or without hard labor for the whole or any part of such imprisonment, not to exceed thirty days, as to the said court shall seem fit.

31. Every employer of coolie-immigrants shall, within ten days after the 30th day of June and 31st day of December in each year, send in to the Immigration Agent a true and correct return, according to the form to be prescribed by regulation, of all such registered coolie-immigrants who may have been in his employ at any time during the preceding six months, specifying the name and sex of each such immigrant, and whether such immigrant shall be under a written agreement for labor or not, and the date of such agreement, the number of days' labor performed by each immigrant, and the number of days during which he shall have absented himself from his work, and also of all deductions from the original number of immigrants under written contract, which shall have taken place within the last preceding six months, by death or desertion; and also of the births of any children among such immigrants, specifying the ages and sexes of such children, with such remarks as may be required for showing the state and condition of such immigrants.

32. It shall be lawful for the Lieutenant-Governor from time to time to require from every employer of any such registered immigrants such further returns as the Lieutenant-Governor may see fit to direct, as to the number, state, and condition of such registered immigrants; and every such employer shall be bound to send in such return to the Immigration Agent or other person duly appointed by the Lieutenant-Governor for that purpose, within one calendar month next after he shall have been notified so to do.

33. It shall be lawful for the Coolie Agent, and other persons duly authorized by the Governor for that purpose, and such Coolie Agent or other person duly authorized is hereby required, twice at least in every year, to enter into and upon every estate or place where any such registered immigrant may be employed, and to inspect the state and condition of all registered immigrants whom he may find upon such estate, and enquire into any complaint which the employer may have against such immigrant, or such immigrant may have against his employer, and shall ascertain whether such immigrants are properly treated, and shall report the result to the Governor.

34. Every person who shall obstruct such Coolie Agent or other person duly authorised by the Governor for that purpose, in entering upon any estate where any such immigrants shall be employed, or shall be by such coolie agent or person duly authorised by the Governor for that purpose, reasonably supposed to be employed, or shall wilfully do any act whereby such Coolie Agent or other person duly authorised by the Lieutenant-Governor for that purpose, may be prevented or obstructed in respecting the state and condition of any such registered immigrant whom he may find on such estate; and every employer of any such registered immigrant, who shall fail to send in to the Immigration Agent or other person duly appointed by the Lieutenant-Governor for that purpose, such half-yearly return as aforesaid, or shall neglect or refuse to send in such further return as may be required by the Governor within one calendar month after such person shall have been notified so to do, or shall wilfully make any false return, shall, on conviction thereof before any court, forfeit and pay such sum not exceeding ten pounds sterling for every such offence as to the court shall seem fit, or in default shall be liable to imprisonment not exceeding thirty days.

35. If it shall appear to the Coolie Immigration Agent on any visit next preceding the termination of the indenture of any immigrant, that any immigrant has been a deserter, or imprisoned during his existing term of service, the said Coolie Immigration Agent shall renew such indenture for such further term of service as such immigrant may have deserted or been imprisoned; and he may from time to time renew such indenture for any subsequent imprisonment; and such immigrant shall not be entitled to any industrial certificate until he shall have faithfully performed such further term of service as aforesaid: provided always that

no such immigrant shall have such indenture renewed or be compelled to perform such further service if he shall be acquitted of the offence charged, or if the criminal or civil process or proceedings under which he was imprisoned shall have been subsequently set aside or discharged, or if his master or employer shall have elected to exact the fine by law provided in certain cases in lieu of such prolongation of service.

36. If any person shall harbour or receive into his employment any coolie-immigrant to whose services any other person may be entitled under any assignment or transfer of services then unexpired and in force, every such person, on conviction before any court on the complaint of the Immigration Agent or of the person entitled to such services, and which complaint may be made at any time within twelve calendar months next after the day on which such coolie-immigrant may be so employed, shall forfeit and pay the sum of ten pounds sterling, and to the person entitled to such services under such assignment the sum of eight shillings for each day during which such coolie-immigrant shall be so harboured or employed. Unless the person so harbouring or receiving into his employment any such coolie-immigrant as aforesaid shall show to the satisfaction of such court that such person used proper diligence to ascertain whether such coolie was at that time under assignment.

37. Any person who shall harbour or receive into his employment any coolie, whether male or female, whose term of industrial service shall not have expired, or which male or female coolie may have been assigned or allotted to any other person, or which male or female coolie may be in receipt of, or entitled to receive, wages from any other person, shall be liable to the penalties specified in section 36 of this law, unless such coolie shall have been duly assigned or allotted to such person by the Immigration Agent: provided that one-half of the penalty of £10, specified in said section 36, may be awarded to the informer through whose information such person shall have been convicted: and provided, further, that nothing in this clause shall apply to a coolie, whether male or female, who has a proper pass, the period of leave in which is then unexpired.

38. Any person on whose premises any assigned coolie may be found without a pass may send information to that effect to the nearest resident magistrate, and the said resident magistrate shall take steps to have such coolie brought before him, to be dealt with according to the provisions of this law.

39. All prosecutions for harbouring coolies shall be made at the instance of the coolie Immigration Agent, on complaint made by the employer entitled to the services of such coolies, or by any informer; and if that officer shall decline to prosecute he shall be bound to state, in writing, to such coolie employer or informer his reasons for so declining; in which event such employer or informer shall be entitled forthwith to institute any such prosecution in his own name.

40. In respect to any male statute adult coolie-immigrant to be henceforth brought into this colony, there shall, upon each and every assignment, be paid to the Immigration Agent or to such other person as the Lieutenant-Governor may from time to time appoint, for and on account of this Government, by the person to whom the services of any such coolie-immigrant shall be assigned, for each and every such coolie so assigned, a yearly sum of three pounds sterling for each year of the term of assignment, which said annual payment shall be made in advance; that is to say, on the date of the assignment a sum of three pounds; and at the commencement of each following year, reckoning from the date of the contract or assignment, a like sum of three pounds: provided always, that no demand for payment shall be made on the person to whom the services of any such coolie shall have been assigned in respect of any such coolie who shall have died or whose services shall have been legally transferred from any such person or employer, prior to the date of the next annual payment falling due.

41. It shall be lawful for any person to whom such male adult coolie shall be assigned to free himself from any annual payment as aforesaid, by the payment to the Immigration Agent as aforesaid in one sum of two-thirds, of the entire sum in respect of the passage money and other expenses chargeable on such coolie, and also the expense chargeable on him for and in respect of such proportion of females and children as, according to regulation, shall have been required to accompany the said male immigrants from India.

42. Each and every aforesaid annual payment to be made in respect of each immigrant coolie assigned or transferred shall be paid, on the date of its becoming due, to the Coolie Immigration Agent or to such other person as the Lieutenant-Governor may from time to time appoint, without any demand being made by him; and in case any such payment shall not be made on the date on which the same shall be due, there shall be payable, in addition, on each sum or payment of three pounds, by the person to whom the services of any coolie are assigned or transferred, a penalty of five shillings for each and every month, or portion of a month, that any such payment shall be overdue and shall remain unpaid: provided always that such penalty or fine shall in no case accumulate beyond an amount equal to the instalment overdue, and in respect of which such penalty shall be incurred; and provided, further, that this section shall not apply to, interfere with, or in anywise affect any like penalties already incurred and owing to the Government.

43. In any case where any coolie-immigrant shall have deserted from his master or employer, and shall not have returned, no more than one year's instalment and penalty, if any accrued thereon, shall be claimable by the Government from the employer in respect of such period of desertion.

44. When all or a large number of the coolies employed upon the same estate shall absent themselves from their employment without leave, for the purpose or on the pretence of making any complaint against their employer, such coolies, or some one or more of them, may, in the discretion of any competent court, be liable to punishment by fine not exceeding two pounds sterling, or by imprisonment for any period not exceeding two months, whether such complaint shall or shall not be adjudged to be groundless or frivolous, and notwithstanding that such complaint may be successful.

45. On the expiration of the first five years after his introduction into this colony, every coolie-immigrant who shall have so served under contract of service as aforesaid, shall be at liberty to hire or dispose of his services or to change his residence in the same manner as any other laborer not being a coolie-immigrant; and the provisions of ordinance No. 2, 1850, entitled an ordinance "for regulating the relative rights and duties of masters, servants, and apprentices," shall extend and apply to such coolies and their employers in such and the same manner as if the applicable sections thereof had been herein expressly re-enacted, save and except in those cases where any such coolie-immigrants shall elect to be re-indentured in manner hereinafter provided; and provided always that if any coolie-immigrant should be desirous that the time within which he is entitled to a free passage back to India should be extended to a longer period than is provided by this law, the Coolie Immigration Agent may, upon application to him for the purpose, grant such extension for such period, and on such terms and conditions, as may be directed by the rules and regulations which the Lieutenant-Governor is hereinafter authorised and empowered to frame and issue for the better carrying out of this law.

46. Every coolie-immigrant shall be entitled to a free passage back to India who shall have resided ten years in the colony, and during the said ten years shall have completed an industrial residence of five years: provided always that no such free passage shall be granted unless applied for within three years of the term at which it shall have become due.

47. When any question shall arise whether any coolie-immigrant has completed a residence of ten years within this colony, the burden of proof shall lie on the coolie-immigrant or other person alleging that such coolie-immigrant has completed such residence.

48. The Lieutenant-Governor shall give to each applicant for a return passage at least fourteen days' notice of the period at which such passage will be offered him.

49. There shall be paid to every coolie-immigrant, who shall become entitled to a free passage to India, the sum of ten shillings for every calendar month which shall intervene after the expiration of two months from the date of his application for such passage and his receiving an actual offer of, or opportunity for the same: provided that should the Government or any private person offer such coolie employment during that period at the current rate of wages, he shall not be entitled to such allowance.

50. The Governor may provide a return passage, at the expense of the colony, for any coolie-immigrant who may have become unfit for labor at any period of his industrial residence.

51. When any coolie-immigrant shall be desirous to commute his right to a free passage for the value in land to the amount of the cost of such passage, and the Lieutenant-Governor shall see fit to grant to such immigrant out of the crown lands of the colony a piece or parcel of land equal in value, at the upset price of crown lands, to the amount of the cost of such return passage, such immigrant shall have the same in lieu of his right to a free passage.

52. It shall not be lawful for any coolie-immigrant introduced into this colony at the public expense, to depart from this colony without a license in writing, signed by the Immigration Agent; and every master or other person in charge of any vessel, who shall knowingly receive or harbour on board such vessel, or agree to receive on board such vessel with the intention of carrying out of the colony, any such coolie-immigrant whose name shall appear in such register, and who shall not have obtained such license, shall, on conviction thereof before a resident magistrate, forfeit and pay the sum of twenty pounds sterling for each and every such coolie-immigrant whom he shall have received, or harboured, or agreed to receive with said intention as aforesaid.

53. No license to leave this colony shall be delivered by the Immigration Agent to any such coolie-immigrant until he shall have completed an industrial residence of five years within this colony as heretofore provided, unless the Lieutenant-Governor shall make an order in writing under his hand for the return of any such coolie-immigrant to the place whence he may have come, before the expiration of the said term of five years.

54. Any coolie-immigrant who shall falsely and fraudulently pretend that he has completed a residence of ten years within this colony, or who shall wilfully use as his own any certificate of residence or discharge which shall have been granted to any other coolie-immigrant, or who shall lend or pledge his certificate of residence or of discharge to any other coolie-immigrant, and any coolie-immigrant or other person who shall wilfully counterfeit or alter any

such certificate, shall, on conviction thereof before any court, be imprisoned with hard labor for such term, not exceeding three calendar months, as to the said court shall seem fit.

55. In respect of all ships leaving the colony with return immigrants, the Immigration Agent shall perform all the duties imposed on immigration officers in England by the *Passengers' Act, 1855*.

56. Every immigrant who may have completed, or who may hereafter complete, the term of service under indenture for which he was indentured on leaving India for this colony, or whose indenture may have been, or may hereafter be, duly cancelled, shall be entitled to demand and receive from the Coolie Agent, free of charge, a certificate of industrial service; and the possession of such certificate shall be evidence of such immigrant being released from obligation to perform further service in this colony under indenture.

57. Every immigrant who may possess or be entitled to a certificate of industrial service, may, if such immigrant think fit to do so, enter into an indenture of service for a further term of one year's service, and so from time to time at the expiration of each such further term of service; and every such renewed indenture of service entered into by any minor immigrant shall be good and valid, and of the same force and effect as the indenture of service of any adult immigrant: and all the provisions of this law, with respect to immigrants under indenture, shall apply to all such renewed indentures; such renewed indentures shall be signed in the presence of the Coolie Immigration Agent, and shall be in the form in schedule D, or as near thereto as may be.

58. Every such further term of industrial service shall commence and be computed from the day of signing such contract, and there shall be paid to such coolie-immigrant by each such employer, such sum by way of bounty or bonus, if any, as may be agreed upon between such immigrant and such employer, such sum to be paid before the signing of the contract or indenture.

59. Every immigrant entering into any such renewed indenture, shall be deemed to be an immigrant within the meaning and subject to the provisions of this law; and the provisions of this law, so far as they are applicable thereto, shall extend to all employers entering into any such contract or indenture.

60. All monies due to the Government under the provisions of this law shall be, and are hereby declared to be a first charge on the estate of the person by whom the same shall be payable, and all such monies shall be a first charge, and shall take priority of all charges and incumbrances whatsoever and whensoever made, upon and over the property moveable and immoveable, in respect of which the coolies were employed, in respect of which coolies such monies are payable: provided, however, that no such priority shall extend to fines imposed: and provided, further, that such claims so due to Government shall have been demanded, and legal proceedings taken to recover the same within six months from the time that the same fell due, or in the event of the insolvency of the debtor, that the same shall have been duly proved in the estate within a like period, or within such period as other debts in the estate can be proved.

61. All monies due to coolies for wages shall be a first charge upon, and shall take priority of all charges and incumbrances whatsoever and whensoever made upon and over their employer's property, moveable, and immoveable, in respect of which such coolies were employed, save and except monies due to Government under the preceding section: provided, however, that such claims for wages shall have been demanded, and legal proceedings taken to recover the same within six months from the time that the same became due, or in the event of the insolvency of the employer, that the same shall have been duly proved in the estate within a like period, or within such period as other debts in the estate can be proved.

62. All monies payable on the assignment or transfer of the services of such immigrants, or by way of penalty, shall be recoverable, in a summary manner, before any court, on complaint to be laid in the name of the Coolie Agent, or on the complaint of the employer, when the same shall be payable to such employer.

63. The Coolie Immigration Agent shall pay over to the Colonial Treasurer all monies which may be received by such Immigration Agent under this law, and all such monies paid to the Colonial Government under this law shall be carried by the Colonial Treasurer to a separate account, to be called the "Immigration Fund," and shall be applied to the payment of salaries of officers and all other expenses incurred in virtue of this law for the general purposes of immigration, and an account of all such monies shall be annually laid before the Legislative Council.

64. No coolie-immigrant shall be liable, whilst under indenture of service in terms of this law, for imprisonment for debt, and it shall not be lawful for any creditor of such immigrant to attach his wages or levy upon his goods or chattels during the continuance of such indenture, any law to the contrary notwithstanding.

65. Proof of the handwriting of the Immigration Agent to any assignment or transfer of the service of any coolie-immigrant, or to any certificate or other document mentioned in this law, shall be sufficient evidence of the execution of the same, and of the facts mentioned in such assignment, transfer, certificate, or other documents.

66. It shall be the duty of the Immigration Agent to collect and take possession of the property of any coolie-immigrant who shall die in this colony, and (with the sanction of the Government) to deliver all such property to any person in the colony who shall establish a right to the same, or, in the absence of any such person, to turn the said property into money, and pay the proceeds into the Colonial Treasury, in order that the same may be remitted to the person or persons in India or elsewhere who shall be entitled thereto.

67. Any information laid, or complaint or charge made under the provisions of this law, shall be laid or made before the resident magistrate of, or any branch court for, the county or division in which the offence may be alleged to have been committed, or in which the cause of complaint or charge may be alleged to have arisen, or into which the party offending may arrive; or before any person appointed, or who may hereafter be appointed by the Lieutenant-Governor to carry out the provisions of the master and servants' ordinance in virtue of law No. 28, 1865, entitled law "to facilitate the determination of complaints between masters and servants," and it shall and may be lawful for such magistrate, court, or person, if it shall seem fit to do so, and if both parties shall be present, forthwith to hear, try, and determine upon such information, complaint, or charge in a summary manner: provided always that such proceedings shall be subject to the review provided by the 15th section of ordinance No. 16, 1846, entitled an ordinance "for creating resident magistrates within the district of Natal;" and provided that in all cases in which any such information or complaint has been laid, or charge made, by the employer of any immigrant or by the plantation or estate on which any immigrant may be located, against such immigrant, such employer or manager need not be present at the hearing of such information, complaint, or charge, if there be any overseer from the said plantation or estate to conduct the case, unless such employer or manager be a material witness on the part of such immigrant at the hearing of any such information, complaint, or charge, in which case such hearing shall be postponed in order that such employer or manager may appear and be examined as a witness.

68. The execution of every judgment so brought in review or appealed from shall be suspended in case the person convicted shall immediately enter into a recognizance before the magistrate (which such magistrate is hereby authorized and required to take), himself in the penal sum of ten pounds, with two sufficient sureties in the penal sum of ten pounds sterling, upon condition to prosecute such appeal or review with effect, and to abide the final result thereof.

69. All penalties imposed by this law, and which shall be recovered shall, save and except such portion as may have been awarded under section 37 to any informer, be paid into the Colonial Treasury, and unless remitted shall be carried to the credit of the Immigration Fund: provided that the Lieutenant-Governor may in any case award the whole or any portion of any penalty imposed and recovered to any person or persons upon whose information the offender was convicted.

70. It shall and may be lawful for the Lieutenant-Governor with the advice of his executive council from time to time, and at all times, to frame, make, and issue, and to amend, alter, vary, or annul, as occasion may require, such rules and regulations as may be deemed necessary or expedient for the following purposes connected with this law, and not inconsistent with the provisions of the same, that is to say:—

The officers of the coolie immigration department and their duties.

Applications from persons wishing to introduce or engage coolie-immigrants.

Security to be furnished by requisitionists.

The transference of immigrants from requisitionists to other persons.

The management and periodical inspection of all hospitals for coolies.

The quarantine of coolie-immigrants; for the control, management, and employment of coolie-immigrants during their stay in the depot; for the guidance of (and, if deemed necessary, conferring special powers upon) resident magistrates, constables, and others in reference to and in order to facilitate the arrest of absconding coolies or coolies found at a distance from their employer's residence without passes or tickets of leave; regulating the procedure to be observed on the release of coolies from prison and the restoring them in custody; directing notice of such release to be transmitted to the employers of such coolies, or otherwise published, and regulating all other matters and things connected therewith.

As to the manner and form in which a "wages book" is to be kept by each employer of coolies; and as to the manner and form in which a "medical register book" is to be kept by each employer of coolies.

Prohibiting the smoking, use, or possession by, and the sale, barter, or gift to, any coolies whatsoever, of any portion of the hemp plant (*Cannabis sativa*); and authorizing the destruction thereof, if found in such use or possession; and imposing penalties upon coolies using, cultivating, or possessing such plant for the purpose of smoking the same.

Return passages to India; the departure of immigrants from the colony; the extension of time allowed by law to coolies to claim free passages to India; and the terms and conditions of such extensions.

And generally for all other purposes connected with this law.

And by such rules and regulations any penalty not exceeding two pounds sterling in each case, may be imposed for any breach thereof. And a copy of such rules and regulations shall be laid before the Legislative Council at its next meeting.

71. In the construction of this law, the words "Governor" and "Lieutenant-Governor" shall include any person lawfully administering the government of the colony, and the words "any court" shall mean and include the courts and branch courts of the resident magistrate of the county or division in which the immigrant shall reside, and the words "Immigration Agent" shall include the Coolie Agent, or any other person appointed by the Government to act in such capacity.

72. This law shall commence and take effect from and after the promulgation thereof in the *Government Gazette*, and may, for all purposes, be cited as the "Coolie Law Consolidation Law, 1869."

SCHEDULE A.

REQUISITION.

I, the undersigned requisitionist, request the Coolie Immigration Agent to take the steps required by law for obtaining for me, from the presidency of _____, male immigrants [specially engaged in India to be employed by me on their arrival at Natal for employment, as the case may be] as _____ on the _____ estate, in the county of _____, in the colony of Natal.

I undertake to give to each immigrant who shall engage with me in virtue of this requisition the wages and allowances following [or the wages and allowances fixed by the Government scale in force at the time of engagement, as the case may be.]

The said wages shall be paid in money monthly.

Proper lodging and medical care shall also be furnished by me to the said immigrants. I appoint A. B. my special agent [or, I appoint no special agent, as the case may be.]*

C. D., Requisitionist.

The above requisition has been received by me this _____ day of _____; 18 ____.

H. C. S.,
Coolie Immigration Agent.

SCHEDULE B.

Contract with the Government of Natal, entered into under requisition from the Coolie Immigration Agent at Natal.

We, the undersigned, emigrants from _____ to Natal, hereby engage to serve the employer to whom we may respectively be allotted by the Government of Natal, during the period of five years from the date of our allotment in Natal; provided that we shall receive monthly, in money, the wages stated hereunder opposite our respective names, and the allowances following.

[Set out scale of rations and allowances here.]

Provided, also, that proper lodging and medical care shall be supplied to us during the time of our service.

And we further agree that if the estates on which we shall become bound to serve, under the aforesaid allotment, be sold, alienated, or transferred to other persons, or succeeded to by other persons before the expiration of our service, we shall serve such other persons according to the conditions of our respective contracts, and until their expiration, our said new employers

* No special agent need be appointed when the immigrants have not to be specially engaged in India.

On behalf of _____ of Natal, I accept the services of the above-mentioned emigrants on the terms and conditions here stipulated.

A. B.,
Special Agent.

The above contract was fully explained to the above-mentioned emigrants [and when there is a special agent, to A. B., the special agent] in my presence this _____ and signed by them before me.

C. D.,
Natal Emigration Agent.

SCHEDULE D.

[FORM OF RENEWED INDENTURE BY FREE COOLIE.]

[Law No. _____, 1869.]

Be it remembered that on this _____ day of _____ 18____, A. B. of _____ and C. D., coolie-immigrant, No. _____, appeared before me, H. C. S., Coolie Immigration Agent; (in terms of law No. _____, 1869, entitled, &c.), and in my presence signed their [names or marks] to the following contract of service:—

The said A. B. agrees to hire the services of the said C. D., and the said C. D. agrees to render to the said A. B. his services in the capacity of _____ for one year [or months, as the case may be] commencing from the day of signing these presents.

And it is further agreed between the said parties that the said C. D. shall be employed in the said capacity for six days in each week, save as in the coolie laws is mentioned, and that the hours of labor shall not be more than nine hours daily, between sunrise and sunset, with a break of at least one hour for rest.

And it is further agreed between the said parties that the said A. B. shall pay to the said C. D., as such servant as aforesaid, wages at and after the rate of _____ sterling per month, for the remuneration of the services of the said C. D., and that such wages shall be paid on the first and fifteenth days of each month.

And lastly, the said A. B. doth hereby bind and oblige himself to give, grant, and provide to and for the said C. D., and for such families as may be allotted, good and comfortable lodging, wholesome and suitable food, and proper medical attendance and medicines during the period for which this present contract is made (subject to deductions from the wages of the said C. D. at the rate of _____ shillings per annum for medical attendance, and at the rate of _____ shillings per annum for lodging and food) and otherwise to observe and fulfil all the conditions and obligations of the coolie laws of the colony so far as the same are applicable to this contract and agreement.

The preceding agreement was signed by the abovenamed parties in my presence (in conformity with the provisions of the Law No. _____, 1869) on the day and year above written, voluntarily, the same being, so far as I am able to judge, fully understood by them respectively.

H. C. S.,
Coolie Immigration Agent.

I CERTIFY that the foregoing is a true transcript of a Bill passed by the Legislative Council on the 14th day of September 1869, and which I have reserved for the signification of Her Majesty's pleasure thereon.

Given under my hand at Government House, Natal, this 22nd day of September 1869.

ROBT. W. KEATE,
Lieut.-Governor.

Statement on "Coolie Law Consolidation Law, 1869."

THIS measure was introduced by the Government, and its main object is to re-enact in one law the many enactments at present in force in this colony relating to Indian immigrants. At the same time, however, various alterations and amendments in the provisions of the existing laws have been introduced.

During last year, a meeting of employers of coolies was held in the County of Victoria for the purpose of discussing those provisions, and it was resolved to petition the Government to appoint a commission for the purpose of enquiring into and reporting upon the same.

On the 25th March last, a commission was appointed accordingly, and in the following month that commission met at Durban. After taking the evidence of planters and others, and after an examination of the coolie laws of other colonies, the commission submitted a report embodying the result of their investigation, which report has been adopted as the basis of the present measure.

In all cases, where no objection appeared to exist to any particular provision of the existing laws, the clauses of the repealed laws have, as far as possible, been re-enacted *verbatim* and in cases where amendment appeared desirable, the provisions of laws of other colonies have been adopted.

In order to simplify the law, ample powers have been conferred upon the Governor with the advice of the Executive Council to frame regulations.

The sections relating to the mode of application to Government for coolies are new, and were taken from the Mauritius Ordinance No. 16, 1862.

A provision has been introduced that in the case of a coolie deserting, no more than one year's instalment shall be claimable by Government in respect of such period of desertion.

The despatch of the Right Hon'ble the Secretary of State, No. 62, dated 31st January 1868, and the previous despatches on the same subject, were carefully considered, and the penalties to be imposed upon coolies absents themselves from work without cause have by section 29 been re-adjusted in conformity with the terms of that despatch.

The subject of hospital accommodation for coolies likewise received careful consideration, and the despatch of the Secretary of State, No. 49, dated 24th December 1867, suggesting legislation on this subject, gave rise to the section 22 which empowers the Lieutenant-Governor to require that each employer of more than 20 coolies shall provide a hospital upon his estate; and by the 70th section the Governor is empowered to regulate the management of such hospitals.

The 21st section requires that every employer shall keep a medical register book.

The fines hitherto imposed upon employers in default of paying instalments to Government for coolies, viz., one shilling for each day's delay, were excessive, and have been reduced by section 42 to five shillings per month, with a proviso that the fine shall not accumulate in any case beyond the amount of instalment overdue.

The 20th section requires every employer to keep a wages book, and enacts that such book, if kept as required, shall be *prima facie* evidence of monies due for wages.

The evil effects which have been produced amongst coolies by the excessive use of wild hemp (*cannabis sativa*) induced the commission to recommend the introduction of a provision upon this subject, and the 70th section empowers the Lieutenant-Governor to issue prohibitory regulations against the smoking of this plant.

Various other improvements have been introduced in the laws regulating the management of coolies. Apart, however, from the amendments made, the advantage of such an unification of the law is self-evident; and, viewing the measure in its entirety, I am of opinion that it is one of public utility and convenience, and that it may properly receive the Royal assent:

M. H. GALLWEY,

Attorney General.

October 14th, 1869.

Extract of letter from the Emigration Commissioners, to Sir F. Rogers,—dated the 14th January 1870.

"The second Bill is, as its title implies, in great measure a mere consolidation of the law (eight in number) passed between 1856 and 1857 to regulate the introduction of coolies from India. Some additions, however, have been introduced from the Mauritius and West India Laws and Ordinances on the same subject. Thus, the provisions as to application for immigrants and their engagement in India are copied in substance from the Mauritius Ordinance of 1862. The provision in regard to hospitals and medicines is copied from laws in force in the West India Colonies, and supplements the provision in the Law of 1859 reenacted in section 21, which only required medical care and the employment of a duly qualified medical practitioner. The penalty on immigrants absents themselves without lawful cause has been altered in accordance with the recommendation of the Secretary of State. The provisions for the issue of certificates of industrial service and for the renewal of indentures (sections 57 and 58) are copied almost *verbatim* from the British Guiana Ordinance, No. 4 of 1864; and by section 70, following the principle sanctioned in Mauritius, the Lieutenant-Governor is authorized to make regulations for the government of immigrants in various matters that could not be satisfactorily dealt with by the law. The only alteration to the prejudice of the immigrant is the reduction from 25s. to 10s. a month of the compensation to be paid for delay in providing return passages. Even, however, at this rate, the compensation is higher than is granted in British Guiana and other West Indian colonies.

"The Lieutenant-Governor does not apparently expect many applications for the introduction of additional emigrants from India, at least during the present depressed condition of the colony. Be that, however, as it may, it is an evident advantage and convenience that the whole law on the subject should be brought into one Ordinance. I see no reason to object to its approval, but Earl Granville will probably think right to communicate it to the Secretary of State for India before pronouncing a final decision. The Lieutenant-Governor will, of course, send home whatever regulations he may from time to time issue under the 70th section of the Bill."

Proceedings of the Council of the Lieutenant-Governor of Bengal for the purpose of making Laws and Regulations.

Saturday, the 14th May 1870.

Present:

HIS HONOR THE LIEUTENANT-GOVERNOR OF BENGAL, *presiding*.

J. GRAHAM, Esq., *Acting Advocate-General*,
THE HON'BLE ASHLEY EDEN,
A. MONEY, Esq., C.B.,
A. R. THOMPSON, Esq.,
V. H. SCHALCH, Esq.,

BABOO UNOOOL CHUNDER MOOKERJEE,
" ISSUR CHUNDER GHOSAL,
" CHUNDER MOHUN CHATTERJEE,
T. M. ROBINSON, Esq.,
AND
BABOO JOTEENDRO MOHUN TAGORE.

COURT OF WARDS.

Before the motion for the passing of the Bill to consolidate and amend the law relating to the Court of Wards within the provinces under the control of the Lieutenant-Governor of Bengal was proceeded with, several amendments were, on the motion of Mr. MONEY, made in section 23 of the Bill, and the section as amended stood as follows:—

"The collector may direct that any person having the unlawful custody, or being unlawfully in possession of the person of any minor ward, shall produce him or her before the collector on a day fixed by him, and may make such order for the temporary custody and protection of such minor as may appear proper. In the event of disobedience to his orders under this section, the collector may impose a fine not exceeding five hundred rupees, and a daily fine not exceeding two hundred rupees, until the production of the person of the minor. In the case of a female minor ward she shall not be brought into court."

On the motion of Mr. MONEY the Bill was then passed.

VILLAGE CHOWKEEDARS.

On the motion of Mr. RIVERS THOMPSON the council proceeded to the further consideration of the report of the select committee on the Bill for the appointment, dismissal, and maintenance of village chowkeedars.

Section 31 was agreed to.

Section 32 was agreed to with a verbal amendment.

Sections 33 and 34 were agreed to.

Section 35 was as follows:—

"The panchayet shall appoint the persons to be chowkeedars under this act, and may, from time to time, with the sanction of the magistrate, dismiss any such chowkeedars."

BABOO JOTEENDRO MOHUN TAGORE said that this section would interfere with the authority which the panchayet ought to have over the chowkeedar. If it was known that the panchayet could not punish or dismiss the chowkeedar without the sanction of the magistrate, the chowkeedar would be remiss in the performance of his duty. When the chowkeedar was declared the servant of the community, the panchayet, who were the representatives of the community, ought to have the power of dismissing him; at least some weight ought to be attached to their unanimous voice in such matters. He (Baboo Joteendro Mohun Tagore) would therefore move the addition to the section of the following words:—

"Provided that if in any case the panchayet are unanimous in the dismissal of the chowkeedar, it shall not be necessary to obtain such sanction, but they shall report such dismissal to the magistrate for information."

Mr. THOMPSON said the object the committee had in view in framing this section was, he thought, to prevent the abuse that might arise of such an important power as the dismissal of a village chowkeedar. We knew from experience that in nearly every village there were often two parties, and the influence of one party might affect injuriously the interests of the community. To prevent an abuse of this kind, the committee thought it would be better that the sanction of the magistrate should be obtained to the dismissal of a chowkeedar. If the panchayet were unanimous, the magistrate would not, except for very strong reasons, exercise the power conferred on him by this section. On the contrary, it was believed that the magistrate would exercise a sound discretion in the matter, and he (Mr. THOMPSON) would therefore oppose the amendment.

The motion was negatived, and the section agreed to.

On the motion of Mr. EDEN the following section was substituted for section 36 as it stood in the Bill:—

"On the appointment of any chowkeedar the panchayet shall give to him a certificate signed by them of such his appointment, specifying therein the rate of salary at which he has been appointed; and he shall within seven days produce such certificate at the police station within the limits of which his village may be situate, and the officer in charge of such station shall cause the particulars of such certificate to be registered in a book to be kept in such station for the purpose of such registration, and shall report the same to the magistrate."

Section 37 was agreed to.

In section 38, on the motion of BABOO ISSUR CHUNDER GHOSAL, the maximum amount of fine to which a chowkeedar should be liable was altered from five rupees to one month's salary. Section 39 related to the duties of chowkeedars.

After some formal amendments, "suspicious" deaths were, on the motion of Mr. SCHALCH, added to the offences which a chowkeedar was required to report; and on the motion of Mr. MONEY the magistrate was vested with a discretion to extend the period, from one week to a fortnight, within which the chowkeedar should present himself at a station which was more remote than two miles.

Sections 40 and 41 were passed after formal amendments.

Section 42 was agreed to.

Sections 43 and 44 were passed with slight amendments.

Section 45 provided how the chowkeedar's salary should be realized if not duly paid.

BABOO JOTEENDRO MOHUN TAGORE said that as the section stood there was nothing to prevent the magistrate from realizing the chowkeedar's salary from one member of the punchayet instead of from all of the members in equal proportions. There appeared no reason why, when all were equally responsible, one member should be made to suffer. He (BABOO JOTEENDRO MOHUN TAGORE) therefore moved the insertion of the words "in equal portions" after the word "pay" in line 8, and of the word "rateably" after "paid" in line 19.

Mr. THOMPSON objected to the amendments. Considering the small amounts that would be realisable there would be much difficulty of procedure if the magistrate were bound to recover the arrear from all the members of the punchayet rateably. The remedy was provided in the succeeding section, under which the member of the punchayet by whom the chowkeedar's salary was paid, or from whom it was realized, could reimburse himself from any surplus of the chowkeedaree fund that might remain at the end of the year. It appeared better therefore to leave the section as it stood.

The amendment was negatived, and the section was agreed to with a verbal amendment.

Sections 46 and 47 were agreed to.

Sections 48, 49, and 50, related to the appointment and duties of munduls in small villages.

Mr. SCHALCH said, as section 48 stood, the zemindar had only to nominate a person to be the mundul of a village, whether such person was willing or not. The section might be made a means of gratifying feelings of revenge by the zemindar nominating a person against whom he had an ill-feeling: the zemindar will have fulfilled his duty by merely making a nomination, and would cease to be liable to any further call or punishment for neglect. He (Mr. Schalch) thought the section should provide that the zemindar should be bound not only to nominate a person, but to secure his consent to discharge the duties.

BABOO JOTEENDRO MOHUN TAGORE said he did not see that there was any provision to compel the person nominated to accept the appointment of mundul. Suppose a zemindar nominated a person whom he thought to be fit, and the person refused to give his services as a mundul in the manner contemplated by the present Bill. The zemindar would have no control over his actions. It was considered necessary to empower the magistrate to impose a fine on a person who refused to act as a member of the punchayet when so appointed; but what power had the zemindar to compel a man to act as a mundul against his wish? It would be almost impossible in many instances to induce any one to accept the responsibilities of the office, and the zemindar had no remedy for such refusal. It would therefore, he thought, be unfair and unjust to impose a fine on the zemindar for failing to do what in most cases would be beyond his power.

Mr. MONEY said he believed that wherever such an institution as a village mundul existed, the office was always hereditary. In the Sonthal Pergunnahs the man was not called a mundul, but a manjee; and the appointment was not made by the zemindar, but by the village community. One of the weak points of the Bill appeared to him to be that it did not provide for the appointment of headmen in every village. In Madras, where a similar Act was lately passed, provision was made for the appointment of headmen in every village in which the office did not exist. He (Mr. Money) had sent a copy of this Bill to Mr. Robinson, the able and experienced head of the police in the Madras Presidency, asking him for his opinion. One of his notes was to the effect, that in each village of the Madras Presidency there is a headman, generally hereditary; if there is not a hereditary one, then a headman is appointed: one of his duties is to command the village watch.

He (Mr. Money) was inclined to think that it would be more in accordance with the old institutions of the country and the feelings of the people that the mundul should not be nominated by the zemindar, but by the village community. He confessed there was a practical difficulty in the way of getting the opinion of the village communities; but if it was practicable, it was expedient that the headman should represent the wishes and feelings of the people, and it was more likely he would do so if appointed by the villagers than by the zemindar. He (Mr. Money) was not prepared at present to suggest an amendment in this section, but he would be glad if the section were allowed to stand over, not only as regards the question of the nomination of munduls in small villages where no punchayets were appointed, but also as to the question of appointing headmen in all villages where the punchayet system was introduced.

BABOO ISSUR CHUNDER GHOSAL said there would be one great difficulty in carrying out the provision requiring the zemindar to appoint munduls. There were villages in which the zemindar had no control; he had sold his birthright for a consideration and reduced his estate to the rank of a putnee. In such villages this provision would be inoperative, because the zemindar had lost all control, and the arrangements he might make would not be accepted. He (Baboo Issur Chunder Ghosal) thought therefore that the suggestion which had been made by the hon'ble member who spoke last was worthy of consideration.

BABOO JOTENDRO MOHUN TAGORE said that he was not aware what the practice was in the Sonthal Pergunnahs, but he believed the practice in the permanently-settled provinces was that the zemindar appointed the mundul. Besides there would be a difficulty in giving power to the ryots to make the appointment; there were party-feelings amongst the ryots, and it would be almost impossible to make them unite in making an appointment. It would, moreover, be taking from the zemindar a right possessed by him and sanctioned by long prescription. In many villages again, the zemindar makes an allowance to the mundul by way of remission of a portion of his rent for the performance of certain services, which, however, are not of a public nature, and the nomination necessarily rests with the zemindar.

MR. ROBINSON said that the difficulty he felt had been explained by what fell from the hon'ble member opposite (Baboo Issur Chunder Ghosal), which he (Mr. Robinson) could confirm from the nature of the tenure under which he held property in Maldah. The zemindary belonged to eleven different persons, people of very small consideration, and the hon'ble member's remark was entirely correct that in such cases the provision would be inoperative.

MR. THOMPSON said he had no objection to take into consideration the suggestions brought forward, and for that purpose would be glad that the further consideration of the sections should be postponed. The introduction of these sections by the select committee was with the object of providing for the report of crime in those small villages in which the punchayet system could not be introduced; and the opinion of the committee was that as in all such places the zemindar generally had some person to perform his own *mal* duties, it would be well if by the Bill he should be bound to nominate such person for the purpose of reporting crime to the police. It must be remembered that in these small villages no provision was made for the appointment and remuneration of chowkeedars, and the person who was appointed mundul would receive no fixed payment for the duty which it was proposed to assign to him. Any remuneration which he might consider himself entitled to would be a matter of arrangement between himself and the person who nominated him. If the nomination were made by the village community, it must be left to them to arrange for the remuneration of the mundul. Objections had been raised that if the nomination were made by the zemindar, the mundul would be entirely subject to his influences, but considering the petty villages in which this arrangement was to be introduced, he did not attach much weight to the objection. In his recent remarks, further suggestions had been thrown out by the honorable member opposite, and he (Mr. Thompson) would not object to the postponement of the consideration of these sections.

THE HON'BLE ASHLEY EDEN said that the objection that had been first raised by the honorable member opposite (Baboo Jotendro Mohun Tagore) had practically been withdrawn, or at all events answered by the hon'ble gentleman himself. His objection was that it was not right to impose on the zemindar a responsibility for the appointment of a mundul, since the zemindar had no means of compelling a person to accept the office of mundul, and could not therefore be reasonably expected to make such an appointment. But in his subsequent remarks the hon'ble member admitted that the zemindars actually did nominate village munduls for their own purposes at the present time, and that they found no difficulty in persuading those persons to perform the duties required of them by the zemindar. Now if they found no difficulty in procuring the assistance of such men for their own purposes, they could not plead the impossibility of providing the services of men for the purposes of the public under the Bill. The same man could act in both cases.

As regards the objection made by the hon'ble gentleman (Mr. Robinson) in respect of putneedars, there was no doubt an apparent difficulty; but in fact a putneedar was by the very nature of his tenure bound to take upon himself these duties of the zemindar, and would relieve him of all the responsibility imposed upon him in respect to the village police. It was the uniform condition of every deed under which a putnee was held that the putneedar took upon himself all legal duties imposed on the zemindar.

As regards the question of the nomination of munduls in every village, he thought that this might be effected by making one of the members of the punchayet President of the punchayet in each village. This might be done by an alteration in Section 3: it was no doubt desirable that there should be some one headman in each village.

BABOO JOTENDRO MOHUN TAGORE said he feared he had been somewhat misunderstood, and he therefore deemed it necessary to explain further what he had previously said. The mundul was appointed by the zemindar for the performance of *mal* duties, and he might refuse to perform duties of a public nature which carried with them certain heavy responsibilities. The zemindar might try and persuade, but he had no means of compelling the mundul to perform these additional duties. In the one case he was paid for his services by the remission of a certain portion of rent; in the other his services would be gratuitous. Now if the zemindar failed to persuade the mundul to undertake these public duties, he (the zemindar) would be punished under this section by a fine extending to Rs. 100. He would certainly question the justice of imposing such a penalty.

BABOO ISSUR CHUNDER GHOSAL said that the position of the zemindar was not always the same. In some villages he had a power of control, i.e., in those which were still under his khas management, but in those which had been reduced to the rank of a putnee he had none, and in such villages the duties imposed by this Bill on zemindars would be devolved on the under-tenants to whom the zemindar had transferred his rights.

With regard to the remarks of the hon'ble member on his right (Mr. Eden), that all the duties imposed on zemindars were transferred by law to the putneedars to whom their lands were leased, that was no doubt correct. But these were new duties for which provision was about to be made, and he (Baboo Issur Chunder Ghosal) did not see how the old regulations could be brought to bear on the present question? He thought that the person immediately in receipt of the rent of the land should be required to nominate the mudal, or that the duty should be imposed on the inhabitants of the village.

The further consideration of sections 48, 49, and 50 was then postponed.

Section 51 provided for the assignment to the zemindar of chakran chowkeedaree lands.

MR. THOMPSON moved the insertion of the words "chakran chowkeedaree" before "land" in line 5. In doing so he said that the consideration of this portion of the bill had occupied a good deal of the attention of the select committee, and he was afraid that after all, from the inherent difficulties of the subject, the sections connected with this second part of the bill were not as complete and perfect as they might be. The difficulties arose from the following considerations. Notwithstanding the detailed enquiries which had been made in connection with the subject, the information regarding chakran chowkeedaree lands was still very imperfect. Thus it was found that the conditions which obtained in one place, did not apply to other districts, or to different parts of the same district. The tenures differed so much in various places, that no definite rules or sections which would be applicable to one would be applicable to another; and he thought it would be found that a great deal would have to be done by the agency of the commission to be appointed by the Lieutenant-Governor under the provisions of the bill, and that all the council could do in the sections which applied to chakran lands, was to lay down general rules and principles for the guidance of the commission capable of being adapted to the circumstances of any place or district where such lands prevailed. The object of his introducing in this place the words "chakran chowkeedaree" was this. The definition in Section 1 of the term "chowkeedaree chakran lands" was in its present form very imperfect: it was declared to mean "lands assigned for the maintenance of the chowkeedar of any village." Now the general idea of chowkeedaree chakran land had come to be land assigned for the maintenance of the chowkeedar, for which he had to perform police duties, and also to render certain personal services for the benefit of the zemindar of the estate. The question, as the council were aware, had been the subject of prolonged litigation, and in the famous case of Joykissen Mookerjee against the Government, in connection with chakran lands in the Burdwan district, it was ascertained that the parties to the suit asserted claims which were in excess of what each was entitled to. On the side of the zemindar it was contended that the tenure on which chowkeedaree chakran lands were held was solely in return for the performance of certain personal services to be given to the zemindar; and on behalf of Government it was maintained that such lands were held simply for the performance of police duties, for which object solely they had been originally assigned. After much litigation in this country the case was taken in appeal to the Privy Council, which gave a decision in consonance, he was bound to say, with law and custom, but which, as a compromise between the parties, had given little satisfaction, as it left the chowkeedar under the double allegiance of a servant to the Government and to the landed proprietor of the estate in which the land was situated; for the Privy Council had decided that the views held by both sides were in excess of their respective rights, and that the village chowkeedar in such a position was not only bound to do service as a police officer, but also, from the incidents of his tenure as established by long usage, was to some extent a servant of the zemindar. In this double capacity he still existed in most districts, and that was the general idea of the status of a chowkeedar holding chowkeedaree chakran land.

The committee had, however, ascertained that in some places this description of a chowkeedar's position would not apply. For instance, in Midnapore Mr. McNeile had shown that pykes were divided into three classes,—those established before the permanent settlement paying a small quit-rent to the zemindar, and rendering him certain trifling services; pykes established subsequently to the permanent settlement, who paid a quit-rent and performed such services as well as certain police duties; and pykes who did not pay any quit-rent or perform personal services of any kind, and yet held the land in return for the performance of police duties. It was clear therefore that where the chowkeedar paid no quit-rent, and owed no allegiance to the zemindar, the definition given in the bill as it stood would not apply; and as far as the section under consideration went, the transfer of land in such cases to the zemindar would be an absolute gift without consideration. If there were such cases as chowkeedars who were not bound to serve the zemindar, he would not be entitled to any portion of the assessment which the village punchayet made on the land so held, and therefore it would be necessary to define as concisely as possible what the meaning of chowkeedaree chakran land was, and the discussion would properly arise on the consideration of the interpretation clause referring to that point.

The motion was carried, and the section, as amended was agreed to.

Section 52 provided that the assessment on the land so transferred should be fixed at one-third of the annual value of the land.

Mr. THOMPSON said that there were two points in this section which required the consideration of the council: the first was the rate of assessment; and secondly, the assessing agency. He was one of the committee who had originally signed the report which recommended that the rate of assessment should be fixed at one-third of the annual value of the land, but he believed he had at the time remonstrated against this excessive liberality towards the zemindar, and in the discussions which had since taken place, he had always intimated his intention of moving an amendment to this part of the bill. He had never understood on what grounds so large a portion as two-thirds of the assessment imposed upon the chowkeendaree lands should be transferred to the zemindar. It had, he believed, been held by a decision of the High Court, in a case connected with lands of this description, that the private services which a zemindar could claim from a chowkeedar in the occupation of such lands, were of such a nominal character that in one instance the court could not estimate its value. Now there could be no question that that was the only ground on which the council was asked to transfer any portion of the assessment upon such lands to the zemindar of the estate in which they were situated. Whatever might have been the original constitution of all such lands assigned for police purposes, experience had shown that the zemindar was clearly only entitled to services of a very trivial character from the occupant, viz., such services as carrying his letters, conveying messages to his agents, and duties involving no heavy responsibilities. It had been certainly settled that the zemindar could neither resume the land so held, nor enhance the rent upon it; and beyond the occasional services which he might claim from the possessor, the zemindar had no other interest in the matter. For the surrender of this very nominal right it has been proposed to give to the zemindar two-thirds of the assessment fixed upon these lands. Now if the case was one between the Government and the zemindar, as to who should secure the profits from such lands, the latter might, with better reason, have claimed the larger share; but, considering that by this transfer the Government directly gained nothing beyond the general benefits consequent upon the improved status of the chowkeedar, it seemed to him (Mr. Thompson) that this large concession to the zemindar was uncalled for. Indeed, from all the circumstances of the case, the smallness of the holdings, and the inconsiderable service which the zemindar could in any case claim, it would have been no great sacrifice if the zemindar had foregone all demand for compensation, and allowed the entire assessment to pass to the benefit of the village police fund. It would have been of material assistance and advantage to the village communities. It had been insisted, however, that the zemindar could fairly take some compensation, and accordingly provision was made for it, though he would press the amendment that "one-half" should be substituted for "one-third" in line 11 of the section.

BABOO ISSUR CHUNDER GHOSAL would say a few words with reference to the remarks which had just been made with regard to the position taken by zemindars on this question. It was certainly not owing to the money value of the land that they made their claim: it was merely, as he understood it, as a protest against the treatment they were in the habit of receiving from the mofussil authorities. It was an index of their feelings against those officers—the instrument of the weak against the strong—put forth in the hope that it might attract the attention of the Government and lead to an enquiry and amelioration. He thought if the weak and the ignorant were treated in a conciliatory and friendly spirit, which such people always expected from the strong and the enlightened, (but not treating them merely as grown up boys, for that jarred with their self-respect,) the services of the land-holders might be greatly utilized by the Government. He (Baboo Issur Chunder Ghosal) thought that the good old days would soon return, and the governors and the governed would view the interest of the country by a light common to both. He would, however, do justice to the mofussil authorities, and say that there were bright exceptions, and had it been otherwise, the country certainly would not have made the progress it had done. But he hoped and expected a greater unity of thought, feeling, and action between them in time to come.

The motion was carried, and the section as amended was agreed to.

Section 53 provided that the assessment of chakran lands should be subject to the approval of the collector.

BABOO JOTENDRO MOHUN TAGORE said that it would be to the interest of the punchayet to over-assess these lands, and it was but fair to the zemindar that he should be allowed an opportunity of contesting the assessment. He therefore moved that the words "(provided that it shall be lawful for the zemindar to contest the assessment before it is so approved)" be inserted after the word "same" in line 6.

Mr. THOMPSON said he did not think the amendment necessary: the collector would always be willing to hear any objection the zemindar might have to the assessment made by the punchayet. The amendment, it appeared to him, would only open the door to delays.

Mr. ROBINSON thought it was quite reasonable that there should be a provision in the law that the zemindar should have a right to be heard, and it could very easily be settled that the zemindar should object within a stipulated time. It was possibly true that no collector would refuse to hear the zemindar, if he applied to be heard, but he (Mr. Robinson) thought the zemindar should have a right to be heard if he applied within a certain time.

The motion was carried, and the section as amended was agreed to.

Section 54 was agreed with a slight amendment.

On the motion of Mr. THOMPSON the postponed section 7 was omitted, and the further consideration of the Bill was postponed.

The council was adjourned to Saturday, the 21st instant.

**Report on the cultivation of Cinchona in Bengal for the year ending
31st March 1870.**

From C. B. CLARKE, Esq., M.A., Officiating Superintendent, Botanic Garden, and in charge of cinchona cultivation in Bengal, to the Secretary to the Government of Bengal, — (No. 188, dated Botanic Garden, Calcutta, the 29th April 1870.)

I now leave to submit the annual report on the cultivation of cinchona in Bengal for the year ending 31st March 1870.

2. The three species of cinchona of which the cultivation has been extended during the year are *c. succirubra*, *c. officinalis*, and *c. calisaya*.

The number of plants of these species in permanent plantations were as under :—

	<i>C. succirubra.</i>	<i>C. officinalis.</i>	<i>C. calisaya.</i>
31st March 1869	6,15,730	8,12,719	220
31st March 1870	10,55,100	4,08,899	4,000
Increase	4,39,370	94,180	3,780

3. The increase of permanent plantation of *c. succirubra* and *c. calisaya* has been made about Rishap at an elevation of 2,500 feet; the increase of *c. officinalis* at Rungbee at an elevation of about 4,500 feet.

4. The average growth for the year of the ten measured plants of *c. succirubra* planted in March 1867 at Rishap, has been fifty-one inches, which fairly represents the satisfactory general growth of the *c. succirubra* plantations.

5. The average growth for the year of the ten measured plants of *c. officinalis* planted in October 1864 at Rungbee, has been twelve inches, which fairly represents the unsatisfactory general growth of the *c. officinalis* plantations.

6. The average growth for the year of the ten measured plants of *c. calisaya* planted in June 1867 at Rishap, has been fifty-two inches, which represents the average growth of all the plants in the plantation catalogued as *c. calisaya*. But several important varieties are included under the name *c. calisaya*, and the tree variety raised by seed in February 1867 and planted out in June 1867 had attained a height of twelve feet in October 1869, and a tree of this age, lately cut down, has produced two pounds of dry bark.

7. As fully explained by Dr. T. Anderson in his annual cinchona report in Bengal for the year ending 31st March 1868, the exceeding steepness of the hills, combined with the large rainfall, prevents any tillage on the cinchona plantations. The grass and low jungle having been cut close, the young cinchona plants are planted out in the permanent plantations. The weeds having been merely headed down, not eradicated, grow with great strength in a moist and warm climate, and continual scouring of the young plantations is necessary. This is the chief expense under this system of cultivation.

8. *C. succirubra* and *c. calisaya* (tree variety) grow so freely, that by the third year the young trees in the plantations are all locked; they then crush the jungle beneath them, and can take care of themselves, and little further expense upon them is called for.

9. But *c. officinalis* shews no inclination to become a tree at these plantations; it remains a shrub with very scanty foliage, and even on the plantations which are five years old, there continues the same expenditure in scouring.

10. *C. succirubra* and *c. calisaya* are planted about 1,200 to the acre; *c. officinalis* about 4,000 to the acre.

11. In the fifth year of growth in permanent plantations an acre of *c. officinalis* carries less than one-fourth the bark carried by an acre of *c. succirubra*, and costs more than four times as much annual expenditure. Moreover, the *c. officinalis* then appears disinclined to grow much larger, whereas *c. succirubra* will clearly grow into a considerable tree.

12. I calculate that at present it has not been discovered how to grow *c. officinalis* to economic profit at Rungbee. I therefore stopped its extension in September last, though I was aware of the high quality of the grey bark. The present quantity is large for an experiment; and as an experiment, a few acres of *c. officinalis* were planted in September last at a somewhat higher level (5,000 feet) than the main plantation. Also, in all the *c. officinalis* plantations below the level of 4,000 feet (above which level *c. succirubra* does not thrive), *c. succirubra* has been planted between the ranks of *c. officinalis*, and will doubtless soon overgrow it.

13. The propagation and extension of *c. calisaya* has been pushed as fast as possible. There is no difficulty in multiplying *c. succirubra* and *c. officinalis* by cuttings, but at

Rishap there is found the greatest difficulty and uncertainty in multiplying *c. calisaya* by cuttings. Herr von Gorkom, the director of the Dutch Government cinchona cultivation in Java, informs me that there the same difficulty with *c. calisaya* is found; but on the other hand, Mr. Melvor, in the drier climate of the Nilgherries, cuttings strike with perfect success.

14. Herr von Gorkom has sent me on several occasions most valuable packets of *c. calisaya* seed, which germinated excellently; but if it could be discovered how to grow *c. calisaya* by cuttings, I should greatly prefer that method, as by it I am sure of getting exactly the variety which I wish to propagate. Mr. Melvor is of opinion that not merely do the varieties cross freely, but that many hybrids are formed from different species of cinchona.

15. The most valuable bark known in the European market is the *c. calisaya* bark. This species grows admirably at Rishap, and during the past year, propagation has been almost entirely confined to it. In growing for profit, I believe it will ultimately be found advisable to grow one or two species only on these plantations, and that it is best to discard a species at once which is clearly inferior with us to *c. calisaya* and *c. succirubra*.

16. I have lately brought from the Nilgherries two new kinds of cinchona: one provisionally named *c. mirabilis* of Mr. Broughton, the other *c. pitayo*. In *c. mirabilis* the bark contains the astonishing quantity of $13\frac{1}{2}$ per cent. of quinine alkaloid and more than 9 per cent. of crystallizable quinine. *C. pitayo* is a rich bark from Peru, a very high-level species, said to be found growing through the snow.

17. During the year both *c. succirubra* and *c. officinalis* ripened seeds: $5\frac{1}{2}$ ounces of the former and $5\frac{1}{2}$ ounces of the latter were distributed. One ounce of seed will raise nearly 50,000 plants.

18. There were distributed from Rungbee during the past financial year cinchona plants as under.

	<i>C. succirubra.</i>	<i>C. calisaya.</i>	<i>C. officinalis.</i>
Mr. Wernicke, Kurlong	2,500	50	...
Dr. Jamieson, Saharanpore	1,500	200	500
Mr. Holson, Tukvar ... ..	...	200	...
Colonel Strutt, Kangra Valley ... ..	...	12	...
Total	4,000	522	500

19. The amount of propagation having been greatly reduced, a considerable number of the old frames and glass were sold. The receipts for the past year of the cinchona plantation paid into the Darjeeling Treasury were as under:—

	Rs.	As.	P.
Rent from land let	1,130	0	0
Price of a wardian case	10	0	0
Sale of cinchona plants	156	4	0
Sale of old glass	187	8	0
Total	1,483	12	0

20. The total expenditure for the year on the Sikkim cinchona cultivation was Rs. 50,224, being Rs. 18,642 less than the estimate, and Rs. 18,040 less than that of the preceding year.

21. The *c. succirubra* trees stand 6 feet by 6 in the plantations, and, as an experiment in January last, a small portion of the denser plantation was thinned by cutting down three trees out of every four. This was found to produce 300lb of dried bark, worth about Rs. 250 per acre.

22. At the same time a considerable portion of the more advanced trees were pruned by the removal of the lower branches. There was stored from the thinnings and prunings in all 2,400lb of dried bark.

23. The only private plantation in Sikkim, which (so far as I know) is extending cinchona planting on a considerable scale, is that of Mr. Lloyd and Colonel Angus, known as the Darjeeling Cinchona Association, and which occupies the north side of the Rungbee valley. This association now has about 500 acres of permanent plantation of *c. succirubra*, and has cut a considerable quantity of three-year-old bark during the late cold weather and sold it in the London market.

24. The Government cinchona plantation at Nunklow, in the Khasi Hills, was formed for the supply of cinchona plants to the planters in Assam and Cachar. Seed is now easily transmitted, and I believe the discontinuance of the plantation at Nunklow has been decided upon by Government.

Number and distribution of cinchona plants in the Government plantations near Darjeeling on the 31st March 1870.

Names of species of cinchona.	Number in permanent plantations.	Number of stock plants for propagation.	Number of seedlings or rooted cuttings in nursery beds for permanent plantations.	Number of rooted plants in cutting beds.	Number of cuttings made during the month.	Total number of plants, cuttings, and seedlings.
<i>C. succirubra</i> ...	10,55,100	20,000	1,64,815	None	None	12,39,715
<i>C. calisaya</i> ...	4,000	10,000	8,758	32,274	2,000	57,032
<i>C. micrantha</i> ...	29,667	None	None	None	None	29,667
<i>C. officinalis</i> , and varieties ...	4,06,899	10,000	2,05,952	3,07,853	Ditto	9,30,704
<i>C. pahudiana</i> ...	5,092	None	None	None	Ditto	5,092
Total ...	15,90,758	40,000	3,79,325	3,40,127	2,000	22,62,210

C. B. CLARKE,

Offg. Supdt., Botanic Garden, and in charge
of cinchona cultivation in Bengal.

The medical virtues of the seed of a plant called Lata or Kurrinda in cases of fever.

Memorandum from D. J. McNEILE, Esq., Officiating Secretary to the Board of Revenue, Lower Provinces,—(No. 205C, dated Fort William, the 18th April 1870.)

Copy of the following forwarded to the Officiating Secretary to the Government of Bengal in the Revenue Department, for the information of His Honor the Lieutenant-Governor. A few seeds of the plant are also forwarded.

From H. L. HAUGHTON, Esq., (4, the Villas, Chowringhee,) to D. J. McNEILE, Esq., Officiating Secretary to the Board of Revenue, Lower Provinces,—(dated Calcutta, the 11th April 1870.)

I beg to bring to the notice of the Board of Revenue the seed of a plant called *lata*, or *rulkurria*, which is an excellent remedy for fever, and might, if made known to the people, be of great benefit in the districts now ravaged by that disease.

The plant grows in the greatest abundance all over Bengal, Assam, and, I believe, India generally, and the seed is well known to native doctors, who use it as a remedy for fevers, and it is sold in every bazar for this purpose. It is mentioned by Dr. O'Shaughnessy in the Bengal Pharmacopœia, and some of our medical men are acquainted with its value. The late Dr. Webb told me that a medical officer (Dr. Macrae), when in charge of a European regiment during an outbreak of fever, used it in the absence of quinine with success, and abundant evidence can be obtained, even in Calcutta, of gentlemen treating servants and others with this seed alone.

In December last, I wrote to the Private Secretary to the Viceroy on this subject, and from the accompanying copy of his letter, dated the 10th February last, you will see that some of the seeds have been sent to Madras in order to have its crystallizable principle tested by the Government quinologist. The season has, however, arrived for the ripening of the seed, when it will fall and be lost, and unless some steps are taken immediately, a year will be wasted and vast quantities of the medicine thrown away. In the hope that the Board may think proper to make known the value of the seed to the people generally who cannot afford quinine, and who have this remedy (of which I have ascertained that they are ignorant) everywhere at their doors, I submit the matter and forward herewith a few of the seeds of this year's growth for your inspection.

A single kernel of the seed is a dose, but a larger quantity can do no harm.

Demi-official from MAJOR O. T. BURNES, Private Secretary to the Viceroy, to H. L. HAUGHTON, Esq.,—(dated Government House, Calcutta, the 10th February 1870.)

In continuation of my letter of the 13th December last, I am directed to inform you that a copy of your letter to me of the 11th idem, together with some of the seeds which accompanied it, has been forwarded through the Home Department to the Government of Madras, with a view to experiments being made with the crystallizable principle of the seeds by Mr. Broughton, the quinologist.

From J. MURRAY, Esq., M.D., Inspector-General of Hospitals, Indian Medical Department, to the Secretary to the Government of Bengal,—(No. 183, dated Fort William, the 30th April 1870.)

In returning the enclosures of your docket No. 1490 of the 27th instant, I have the honor to state that "*kut kurrinda*" is a well known bazar medicine, and is much used in native hospitals and dispensaries. It is often a useful remedy in cases of ague.

2. The seeds are returned as requested.

Meteorological Telegraphic Report for the period 14th to 20th May 1870.

STATIONS	Date.	Hour.	Barometer reduced to 32°	Barometer reduced to sea-level.	THERMOMETER.		Humidity $\frac{\text{Sat.}}{100}$.	WIND.		Rain.	Weather initials.	Clouds.
					Dry.	Wet.		Direction.	Velocity.			
CALCUTTA.	14th	10	29.889	29.701	70.0	80.6	58	S	...	...	...	C
	14th	18	29.874	29.689	68.8	78.0	47	S	...	...	...	S
	15th	10	29.856	29.674	69.0	80.0	46	S by W	...	...	...	S
	15th	18	29.860	29.687	69.0	78.0	47	S	...	...	...	S
	16th	10	29.704	29.723	81.0	81.0	63	S	...	...	...	S
	16th	18	29.691	29.610	80.2	80.0	47	S by W	...	...	...	S
	17th	10	29.730	29.757	87.3	81.6	60	S S W	...	...	...	S
	17th	18	29.606	29.624	88.9	83.0	53	S by W	...	...	...	S
	18th	10	29.703	29.731	89.0	81.0	60	S by W	...	...	...	S
	18th	18	29.683	29.600	85.9	81.3	58	S by E	...	...	...	S
BAGUR JOLLAH.	19th	10	29.834	29.672	83.5	83.5	84	S R	...	...	...	K
	19th	18	29.653	29.671	81.7	82.7	58	S S R	...	...	...	K
	20th	10	29.680	29.679	87.4	82.4	70	E by S	...	0.30	...	K
	20th	18	29.637	29.645	92.9	83.4	68	S	...	...	...	CS
	14th	10	29.705	29.711	89	82	78	S S W	2	...	...	N
	14th	18	29.618	29.624	90	84	76	S	1	...	...	N
	15th	10	29.639	29.705	89	88	70	S S W	2	...	m, o	N
	15th	18	29.600	29.608	90	81	76	S	2	...	m, o	N
	16th	10	29.739	29.745	90	84	70	S S W	2	...	m, o	C, OK
	16th	18	29.649	29.655	91	84	73	S S W	2	...	m, o	KS
CHITTAGONG.	17th	10	29.766	29.772	90	85	80	S W	1	...	...	C, CK
	17th	18	29.618	29.654	91	84	73	S S W	2	...	m	CS
	18th	10	29.718	29.724	91	84	73	S W	2	...	...	K
	18th	18	29.622	29.628	91	84	73	S S W	2	...	...	KS
	19th	10	29.677	29.683	90	86	80	S S W	2	...	m	N
	19th	18	29.671	29.677	90	86	80	S S W	2	...	δ, m	N
	20th	10	29.677	29.683	90	86	84	S W	2	0.00	m, o	N
	20th	18	29.548	29.554	90	85	80	S S W	2	...	m, o	N
	13th	10	29.601	29.709	94	84	84	S W	5.00	...	δ	K
	13th	18	29.644	29.652	83	83	83	S W	15.14	...	δ	K
MADRAS.	14th	10	29.681	29.780	95	84	61	S	5.30	...	δ	K
	14th	18	29.504	29.679	91	82	66	W	14.70	...	δ	CR, K
	15th	10	29.671	29.779	94	83	61	S S E	4.20	...	δ	CR, K
	15th	18	29.557	29.666	91	82	66	S W	16.70	...	δ	K, CK
	16th	10	29.637	29.745	97	83	53	S	3.50	...	δ	K, CK
	16th	18	29.594	29.702	94	81	58	S W	11.60	...	δ	KS
	17th	10	29.703	29.872	92	79	54	S W	6.10	...	δ	K, CK
	17th	18	29.639	29.737	93	83	68	S W	10.60	...	δ	CK, C
	18th	10	29.724	29.832	94	81	55	S	5.70	...	δ	O
	18th	18	29.607	29.715	92	82	63	S W	12.80	...	δ	K, OK, CK
COCHIN.	19th	10	29.696	29.804	93	81	57	S	4.10	...	δ	CS
	19th	18	29.697	29.705	93	81	60	S W	11.60	...	δ	K, C, CK
	20th	10	29.698	29.776	91	82	66	S	9.60	0.20	δ, r, i, j	C
	20th	18	29.589	29.696	91	83	68	S S W	18.40	...	m	
	14th	10	29.601	29.791	90	74	27	W	6.00	...	δ	
	14th	18	29.479	29.602	94	70	49	S E by E	11.00	...	δ	
	15th	10	29.638	29.699	90	76	59	W	8.00	...	δ	
	15th	18	29.557	29.687	91	77	50	S E by S	14.00	...	δ	
	16th	10	29.696	29.736	96	76	36	S W by S	16.00	...	δ	
	16th	18	29.611	29.611	89	79	62	S E by S	16.00	...	δ	
CUTTACK.	17th	10	29.749	29.770	95	76	34	S W by S	7.00	...	δ	
	17th	18	29.610	29.640	92	70	64	S S E	10.00	...	δ	
	18th	10	29.740	29.770	100	77	39	S W by W	13.00	...	δ	
	18th	18	29.601	29.631	89	80	60	S S E	18.00	...	δ	
	19th	10	29.728	29.758	87	76	25	S W	11.00	...	δ	
	19th	18	29.616	29.646	91	80	60	S S E	16.00	...	δ	
	20th	10	29.723	29.793	94	75	38	S W by S	7.00	...	δ	
	20th	18	29.650	29.686	90	79	59	S E	11.00	...	δ	
	14th	10	29.637	29.718	94	83	61	S	12.40	...	δ	C, CS
	15th	10	Not recd.									
ARRAH.	16th	10	Not recd.									
	16th	18	Not recd.									
	17th	10	29.674	29.655	99	81	45	S E	12.50	...	m	C
	17th	18	29.693	29.774	95	83	59	S E by E	10.00	...	h, m	CK
	18th	10	29.541	29.622	98	81	45	S	16.30	...	h, m	
	18th	18	29.611	29.692	98	84	59	S W	16.00	...	δ, m	
	19th	10	29.544	29.625	98	84	54	S	16.00	...	δ, m, i, p	
	19th	18	29.611	29.692	98	84	59	S W	11.00	...	δ, m	
	20th	10	29.691	29.772	99	83	48	S E	18.50	...	h, m, i, p	
	20th	18	29.601	29.682	96	84	59	S E by E	10.70	...	δ, m	
MADRAS.	11th	10	29.624	29.639	87	82	79	N W	1	0.60	...	CK, O
	11th	18	29.527	29.642	88	83	83	N W	1	...	δ	CK, O
	12th	10	29.689	29.703	85	81	83	N W	1	1.30	o, g	K, N, CS
	12th	18	29.453	29.684	87	82	70	N W	1	...	δ	N, KS
	13th	10	29.746	29.701	88	82	83	S W	2	...	δ	K, KS, N
	13th	18	29.650	29.605	88	84	83	N W	1	...	δ	K, KS
	14th	10	29.613	29.758	87	82	79	N W	1	...	δ	
	14th	18	29.621	29.636	88	81	72	N W	1	...	δ	
	15th	10	29.721	29.736	84	80	83	Calm	...	...	δ	K
	15th	18	29.621	29.636	89	82	76	Calm	...	...	δ, m	K, CS, KS
ARRAH.	16th	10	29.770	29.794	84	80	83	N W	1	...	δ	C, CK, K
	16th	18	29.644	29.679	87	80	79	N W	1	...	δ	C, O
	17th	10	29.812	29.833	81	79	69	N W	1	...	δ	CK, N, KS, K
	17th	18	29.710	29.731	86	79	73	N W	1	...	...
	18th	10	29.709	29.714	81	70	91	Calm	...	0.50	...	N, KS
	18th	18	29.773	29.787	80	77	86	Calm	...	0.10	o, g	N
	19th	10	29.772	29.787	80	77	80	Calm	...	...	δ, o, r	N
	19th	18	29.607	29.719	82	79	87	N W	1	...	o, d	M
	20th	10	29.748	29.704	81	72	63	S S W	1	0.50	...	N, O, S
	20th	18	29.701	29.716	84	79	79	N W	1	...	g	N, CS, KS, C

* Velocity of wind in miles per hour.

CALCUTTA,
The 21st May 1870.HENRY F. BLANFORD,
Meteorological Reporter to the Govt. of Bengal.

Abstract of Observations as received in the Meteorological Reporter's Office, Calcutta,

DURING THE HALF MONTH FROM 1ST TO 15TH MARCH 1870.

N. B.—The Barometric data are reduced for temperature, and not for height above sea level.

STATIONS.	Height above sea level.	BAROMETER.				THERMOMETER.										HUMIDITY.				RAINFALL.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				
		MEANS OF				SOLAR RADIATION.				MEAN OF WIND.		MEAN DAILY RANGE.		MEAN OF WIND.		MEAN OF					HIGHEST MAX.		LOWEST MIN.		Mean.	MEAN OF																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
		4 hours.	10 hours.	16 hours.	23 hours.	Mean.	Max.	Day.	Min.	Day.	Night.	Day.	Night.	Day.	Night.	Day.	Night.	Day.	Night.		Day.	Night.	Day.	Night.		Day.	Night.	Day.	Night.	Day.	Night.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									
																																Mean of 10 h.		Mean of 23 h.		Mean of 10 h.		Mean of 23 h.		Mean of 10 h.		Mean of 23 h.		Mean of 10 h.		Mean of 23 h.		Mean of 10 h.		Mean of 23 h.		Mean of 10 h.		Mean of 23 h.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		
Port Blair	115	29.647	29.701	29.603	...	108	155.3	163.0	151.0	124	130	85.1	130	124</

No correction for index error has been applied to the Benares barometric readings.

HENRY F. BLANFORD,
Meteorological Reporter to the Govt. of Bengal.

CALCUTTA,
The 21st May 1870.

Mean Pressures and Temperatures of the preceding Table reduced to sea level, with mean Wind directions.

STATIONS.	Mean Barometric pressure reduced to sea level.	Mean Temperature reduced to sea level.	Proportional prevalence Max=100.	Mean direction.
Fort Blair	29.871	70.2	27	N 45° E
Madras	29.900	.....	34	S 74° E
Akyab	29.880	77.6	24	N 10° E
Passe Point	29.943	75.5	25	S 59° W
Cuttack	29.914	78.3	17	S 72° W
Sauror Island	29.877	80.5	32	S 82° W
Chittagong	29.871	76.0	23	N 80° W
Calcutta	29.800	78.9	27	S 48° W
Jessore	29.841	76.1	14	N 70° W
Dacca	29.853	77.5	27	S 32° W
Cachar	29.806	72.6	20	S 37° W
Hazareebaugh	29.849	70.0	27	N 88° W
Berhampore	29.848	78.7	21	S 63° W
Patna	29.850	76.0	32	N 60° W
Monghyr	29.825	70.1	26	N 71° W
Darjeeling	29.889	80.0	5	S 4° W
Gowalparah	29.830	74.5	18	N 53° E
Shillong	29.888	73.5	20	S 30° W
Banarès	29.808	76.6	21	N 66° W

NOTE.

Barometric Pressure.—The pressures in column 2 of the above Table for all stations below 500 feet are reduced from those given in column 3 of the Table on the previous page by adding the weight of a column of air of the corresponding temperatures given in column 17. For stations of above 500 feet elevation, the reduction is made by Dippe's Tables as given in Guyot's "Meteorological and Physical Tables."

Temperature.—The temperatures in column 3 are reduced from those in column 17, on the preceding page, by adding 1° Fahr. for every 350 feet.

Wind Direction.—The mean wind direction and its comparative prevalence are calculated from the whole number of wind observations recorded during the half-month. The latter is given as a percentage of the whole number of observations. The mean direction is calculated in the usual way by Lambert's formula.

The above being all comparable, afford the data for constructing a meteorological chart for the half-month, which shall shew the isobaric and isothermal lines, and the resultant wind directions, which last may be represented by arrows of varying length proportioned to the prevalence of the wind. To these may be added the rainfall from the previous Tables.

HENRY F. BLANFORD,

Meteorological Reporter to the Government of Bengal.

Results of the Meteorological Observations taken at the Surveyor-General's Office, Calcutta, from 15th to 21st May 1870.

MONTH.	Date.	Mean reduced Barometer.	THERMOMETER.		Max. Solar radiation.	Mean Dry Bulb.	Mean Wet Bulb.	Computed Mean Dew-point.	Mean degree of humidity.	WIND.			Rain.	GENERAL REMARKS.
			Highest Reading.	Lowest Reading.						Prevailing direction.	Max. pressure.	Daily velocity.		
		Inches.	°	°	°	°	°	°			H	Miles. Inches		
May	15th	29.908	93.5	81.2	131.5	87.8	79.9	75.8	0.68	S by W & S	0.4	275.5	...	Cirrostrati, stratoni, and cirri.
	16th	29.949	93.0	81.2	135.0	88.0	80.2	75.5	.67	S	...	244.8	...	Stratoni and cirro-cumuli.
	17th	29.978	93.0	83.5	138.7	89.0	81.6	77.3	.69	S S S W & S by W	0.4	278.2	...	Chiefly clear.
	18th	29.950	97.6	82.5	130.2	88.7	81.0	70.4	.68	S by E & S	2.0	318.5	...	Clear and clouds of different kinds. Lightning at 8 & 9 p.m.
	19th	29.939	97.0	78.0	135.8	86.8	80.2	76.2	.72	S E & S S E	7.9	317.5	0.39	Clear, cumuli, and overcast. High wind between 6 & 7 p.m. Thunder at 7 p.m. Lightning from 7 to 9 p.m. Slight rain from 8 1/2 to 9 1/2 p.m.
	20th	29.998	93.6	76.5	126.2	86.4	77.0	71.8	.67	N E and variable	30.0	260.5	0.10	Cirri, cumuli, and overcast. Storm from 7 to 9 1/2 p.m. Thunder at 9 1/2 p.m. Lightning at 9 p.m. Slight rain at 7, 8, and 10 p.m.
	21st	29.978	94.1	75.7	130.5	89.3	79.4	74.6	.69	S by E, S S W & S by W	7.0	337.4	0.43	Clouds of different kinds. Brisk wind from 8 a.m. to 3 p.m. High wind between 8 & 9 a.m. Thunder and rain at 9 p.m. Lightning from 8 to 10 p.m.

The mean Barometer, as likewise the Dry and Wet Bulb Thermometer means, are derived from the twenty-four hourly observations made during the day.

The Dew-point is computed with the Greenwich constants.—The figures in column ten represent the humidity of the air, the complete saturation of which being taken at unity.—The receiver of the lower rain gauge is 1 1/2 feet, and that of the Anemometer 70 feet 10 inches, above the level of the ground.—The velocity of wind, as indicated by Robinson's Anemometer, is registered from noon to noon.

The extreme variation of temperature during the past seven days	...	23.0
The max. temperature during the past seven days	...	98.0
The max. temperature during the corresponding period of the past year	...	97.3
The mean humidity during the past seven days	...	0.69
The mean humidity during the corresponding period of the past year	...	0.77
		Inches.
The total fall of rain from 15th to 21st	{ by lower rain gauge	0.92
	{ by Anemometer gauge	0.75
Ditto ditto, average of sixteen previous years	...	1.02
Ditto ditto, between the 1st January and the 21st current	...	5.75
Ditto ditto ditto, average of 16 years...	...	8.54

GOPESNAUTH SEN,
In charge of the Observatory.

The 23rd May 1870.



SUPPLEMENT TO The Calcutta Gazette.

WEDNESDAY, JUNE 1, 1870.

OFFICIAL PAPERS.

Non-Subscribers to the GAZETTE may receive the SUPPLEMENT, separately, on payment of six Rupees per annum if delivered in Calcutta, or twelve Rupees if sent by Post.

Proceedings of the Council of the Lieutenant-Governor of Bengal for the purpose of making Laws and Regulations.

Saturday, the 21st May 1870.

Present:

HIS HONOR THE LIEUTENANT-GOVERNOR OF BENGAL, *presiding.*

J. GRAHAM, Esq., *Acting Advocate-General,*
THE HON'BLE ASHLEY EDEN,
A. MONEY, Esq., C.B.,
A. R. THOMPSON, Esq.,
V. H. SCHALCH, Esq.,
BABOO UNOCOL CHUNDER MOOKERJEE.

BABOO ISSUR CHUNDER GHOSAL,
BABOO CHUNDER MOHUN CHATTERJEE,
F. F. WYMAN, Esq.,

AND

BABOO JOTEENDRO MOHUN TAGORE.

PENDING SUITS.

MR. MONEY moved for leave to bring in a Bill to transfer certain pending suits to the civil courts. He said that the necessity for the introduction of this Bill, which he had the honor to introduce for the consideration of the council, arose from the unforeseen operation in one direction of Act VIII of 1869 passed by this council. When that Act, which transferred the venue of certain suits from the revenue to the civil courts, was passed, it was supposed that no more than the average number of suits would be pending in the revenue courts of each district on the date the Act came into operation. It was omitted to make allowance for the operation on the one hand of the temptation existing in the cheaper procedure by means of revenue agents, as compared with the more expensive agency of vakeels, and on the other hand for the natural desire on the part of the revenue agents to continue as long as possible the system under which they got their livelihood, and which would no longer be in operation. After the Bill was passed the Government appointed fifteen moonsiffs, and it was in contemplation to appoint a still greater number; on the other hand the establishment of deputy collectors was and is being steadily diminished. We had therefore on the one hand a new machinery introduced for the trial of these suits, and on the other there was the gradual decrease in the strength of the revenue courts. It had been reported that during the few days preceding the date on which the Act came into operation a large number of rent suits had been instituted in the courts of the sub-divisional officers in some districts. Statements had not been received from all the divisions; but so far as information had been received it would be laid before the council with the view of showing the extent to which suits had lately been instituted. In the division of Burdwan it was found that the number of suits of this kind pending on the 13th of April, the date on which the new Act came into operation, was 3,734, and the number of applications for execution of decrees was 1,173. From the Chittagong division information was received by telegram and without distinction drawn between suits and applications for execution of decrees, the number of both together being 8,247. In the Dacca division the number of suits was 7,185, and of applications for

execution of decrees 1,986. In the three districts of the Presidency division the number of suits was 8,166, and of applications for execution of decrees 1,546. These figures should suffice to show the council that a remedy for this state of things was called for. The revenue courts in many districts found themselves burthened with a larger amount of rent-suit work than usual; while, on the other hand, the new machinery established to grind this particular kind of judicial corn would have little or no corn given it to grind.

What first brought the matter prominently to the notice of the authorities were the arrangements it was thought desirable to make with regard to the assessment and collection of the income tax. At a late conference at the Board of Revenue which the several commissioners of divisions attended, the question was discussed as to the best means of working the income tax, and it was decided that the sub-divisional officers should be employed for the purpose to as large an extent as practicable. It was considered that their local knowledge and their superior social position and education, as compared generally with the class of men from whom the Government had been able to appoint special assessors, would enable the sub-divisional officers to make the assessment with more discrimination and judgment, with less inequality of assessment, and less of the monstrous injustice and gross oppression which had attended the working of every scheme of direct taxation in this country. But before the agency of the sub-divisional officers could be used for the assessment and collection of the income tax, it was necessary that they should be freed from an amount of work which it never had been intended or expected that they should perform. The commissioners generally stated that in those sub-divisions in which the larger number of rent-suits were pending, it would practically be impossible for the sub-divisional officers to attend also to the assessment and collection of the income tax. He (Mr. Money) hoped that the council would consider, as he did, that it was a matter of great importance that this tax should not only be better worked in the interests of the people, but that it should also be worked with greater economy and gain to the Government and the public, as would be the case if sub-divisional officers were employed. With this object, and with the view of putting an end to the anomalous state of things under which two different classes of courts tried the same class of suits, he proposed this measure for the favorable consideration of the council.

Mr. Money had omitted to remark on one or two of the general principles adopted in the framing of the Bill. The object kept in view has been, while affording relief to the sub-divisional officers and collectors, to prevent, as far as possible, hardship being suffered by those who had suits before such courts. The cases before the revenue courts might be divided into three classes—first, suits proper; second, applications for the execution of decrees; and third, miscellaneous applications. It was only proposed to transfer the first two classes of suits, and to keep miscellaneous applications to be disposed of by the courts to whom such applications had been made. These comprised matters of an executive nature, such as applications for the deposit of rent for the ejectment of tenants, for the measurement of lands, and the like, which latter was work which, even under the new procedure of Act VIII. of 1869, was to be done by collectors. It was thought advisable to leave to the revenue courts the disposal of applications of this nature which had already been made, and merely to transfer to the civil courts the disposal of suits, and applications for the execution of decrees.

BABOO JOTENDRO MOHUN TAGORE said that he had only two remarks to make with reference to the observations that had fallen from the hon'ble member. The very fact that so many suits had been instituted, shewed what the state of public feeling was with regard to the new procedure under which rent-suits were now to be tried, and how they still clung to the old procedure in preference to the new one. That they did so was a matter of no surprise if we considered the additional expense of a trial in the civil courts, where the suitors would be deprived of the cheaper procedure by means of mookhtears and be compelled to employ the more expensive agency of pleaders; and this was strong evidence why certain sections of the Civil Procedure Code should be modified, so as to allow mookhtears to appear before moon-siffs' courts in rent-suits, with the view of bringing down the scale of expenditure in the conduct of such suits to what it was under Act X. of 1859.

MR. RIVERS THOMPSON said that as he was the member of the council in charge of the Bill which was subsequently passed as Act VIII of 1869, and transferred the trial of rent suits from the revenue to the civil courts, he thought it right to explain the circumstances under which a section for the transfer of pending suits was not included in the Act. It was the subject of some discussion both in the full council and in select committee whether provision should not be made for such a transfer; and it was eventually resolved, considering the number of suits of different descriptions which would be pending in the revenue courts, and the different stages in which they would be found, that it would be preferable to leave them to the disposal of the courts in which they were instituted. It was unfortunate that the hon'ble member who had just spoken was not a member of the council when Act VIII of 1869 was under consideration. If he had been, he would have known that both this point and others to which he had adverted had received full consideration at the hands of the council at the time. He (Mr. Thompson) must take exception to the hon'ble member's remark that the general unpopularity of the transfer of these suits to the civil courts was the main cause of the demonstration which had led to the recent institution of so large a number of suits and applications at the present time. Such an opinion was certainly opposed to the statements and reports made while Act VIII of 1869 was under discussion; and it was fully considered

during the progress of that Bill that though in the first instance there might be some additional expense involved in the trial of rent suits in the civil court, yet having regard to the improved machinery for the adjudication of such suits, and the greater leisure of the officers to whom they would be transferred for trial, there would certainly be more celerity in their decision, and consequently a large advantage over the then existing system in effecting the transfer, and that these results might eventually be attended in the end with a saving of expense.

The hon'ble member opposite (Mr. Mosey) had fully explained the reasons which had led to the movement which made the present Bill necessary. It was caused by the mookhtears and revenue agents, who being deprived by the Act of last session of the privilege of pleading in rent-suits as before, had promoted a large number of institutions in the collectors' courts with the view of securing to themselves as long as possible the means of livelihood. That, too, was a point which had not escaped the attention of the council, but which could not be avoided. There were circumstances which prevented this council from enabling mookhtears to plead in the civil courts, because the law which prohibited mookhtears from pleading in the civil courts was a law passed by the council of the Governor General subsequent to the passing of the Indian Councils' Act, and it could not therefore be altered by any law passed by this council. It might be a subject of regret that a remedy was not available which would allow mookhtears and revenue agents to continue their practice in the moonsiffs' courts, and the desire on their part to retain in their hands a larger number of suits than would have been instituted in the ordinary course might be a legitimate one; but the consequences, as explained by the hon'ble mover of the Bill, were so serious that there was sufficient justification for the introduction of the present measure.

BAROO ISSUR CHUNDER GHOSAL said that with reference to the remarks made by the hon'ble members who preceded him, he thought it his duty to state that in the matter of the mookhtears both this council as well as the Government of Bengal did all they could with a view to reduce the cost of rent suits by empowering the mookhtears to plead in these matters before the civil courts. But it was of no avail, as the Government of India set its face against the proposition. The effect of the present law would therefore be most oppressive to the poor ryots, as in all such cases they are generally the losers. The rents must be paid, and the costs therefore could not be set aside.

With regard to the remark that in the institution of such a large number of cases the zemindars had been led away by their mookhtears, he would say that the zemindars were perfectly awake to their own interests and needed not the promptings of their law agents in such simple matters. It was in difficult and intricate cases that these agents sometimes took advantage of their position, but that was not a peculiarity of Bengal alone.

Section 1 was agreed to with a verbal amendment.

Section 2 provided that all suits in which no witness had been examined, should be transferred to the civil courts.

MR. MONEY said that if a witness had been summoned, though not examined, great hardship would ensue to the witness if the suit were transferred, as the witness would be put to additional trouble and expense in attending again before the Civil Court. He (Mr. Money) therefore moved that the word "summoned" should be substituted for "examined." The motion was carried, and the section, as amended, was agreed to.

Section 3 provided for the transfer of decrees in which an order for attachment had not issued at the time of the commencement of this Act.

THE ACTING ADVOCATE-GENERAL said he thought the section should provide clearly that, in those cases in which summons had issued, the proceedings should be transferred to the civil court after the making of the decree.

After some conversation, an amendment to that effect was carried on the motion of MR. MONEY, and the section was passed with some further amendments of an unimportant character.

Sections 4 to 7 were agreed to with several amendments made on the motion of MR. MONEY.

On the motion of MR. MONEY, the following section was added to the Bill:—

"This Act shall commence and take effect upon the first day of June 1870."

The preamble and title were agreed to; and, on the motion of MR. MONEY, the Bill was passed.

VILLAGE CHOWKEEDARS.

MR. RIVERS THOMPSON moved that the report of the select committee on the Bill to provide for the appointment, dismissal, and maintenance of village chowkeedars, be further considered in order to the settlement of the clauses of the Bill.

MR. MONEY said that before the council proceeded to the further consideration of the clauses of the Bill, he wished to say a few words with reference to a paper lately circulated among the members of the council in connection with this Bill. The paper he referred to was a letter from the commissioner of Burdwan, in which he strongly condemns, not only the details of the Bill, but the principle on which it is based. Mr. Buckland, in support of his views, had adduced the testimony of Sir Frederick Halliday, and certainly at first sight a minute written by that gentleman in 1838 seemed to warrant Mr. Buckland in claiming for his view of the question the opinion of Sir Frederick Halliday. The reason that he (Mr. Money) referred to this matter

was because he used to entertain on this subject the same views as are now entertained by the commissioner of Burdwan; and five or six years ago, when commissioner of Bhaugulpore, he submitted a report to the Government in which he advocated the abolition of village chowkeedars and the substitution in their stead of stipendiary police. He had since found reason to change his opinion, and, with the proverbial zeal of a convert, he was unwilling that the principle which the council had accepted in this Bill should have arrayed against it the adverse opinion of such an authority as Sir Frederick Halliday, or that the council should suppose that, even when the minute of 1838 was written, the balance of valuable testimony was on that side. In 1838 a committee was appointed to enquire into the question of the police and criminal administration of Bengal, and to that committee the following gentlemen were appointed Messrs. W. W. Bird, F. C. Smith, F. J. Halliday, T. Lewis, T. B. Hutchinson and W. Braddon.

These gentlemen were all men of ability and experience, selected as the most likely men to be of benefit to the Government in the consideration of the subject which they were appointed to investigate. Out of the whole body of gentlemen who formed that committee and submitted a report, only two, Messrs. Halliday and Lewis, dissented. The opinion of the others was all in the direction of the retention of the village chowkeedaree system, in opposition to the opinion entertained by the two dissenting members who recommended the substitution of a body of stipendiary police. The following extracts from the report of the committee show the opinion that the majority of the committee at that time entertained with regard to this question. Paragraphs 54 and 55 of the report say:—

"We cannot refrain from quoting here the observations upon this subject of Mr. Lewis, contained in his letter of the 2nd May 1837: 'By far the greatest impediment to the success of police operations in this country arises from the total want of co-operation on the part of the people; extortion on the one hand, and fear, ignorance, and prejudice on the other, have drawn a very marked line between the regular police officer and the public, for whose benefit he is ostensibly employed; and whatever the crime may be, or however notorious and dangerous the offender, the village community rarely shows any disposition to assist either in tracing the one or in apprehending the other; their sole object being to get rid as speedily as possible of their unwelcome visitors by any story most likely to effect their purpose. But in the character and disposition of the village chowkeedar there is something common to both parties; when properly treated he can give, and he frequently does give, most valuable information; and it has therefore always appeared to me a most desirable object to make this connecting link between the police and people as sound and serviceable as possible.' We doubt much if any description of village police can be efficient, we are quite sure that none can be popular, which is not based on the principle advocated by Mr. Lewis in the above extract."

The council would observe that the majority of the able men who formed the committee were in favor of the retention of the chowkeedar, thereby following the same principle as had been accepted by the council in the Bill before them. Mr. Buckland might probably urge that one opinion was often worth a dozen, and that the opinion of Sir Frederick Halliday ought to override on such a subject the opinion of the majority of his colleagues. He (Mr. Money) would admit this to some extent, and the more readily, because the phases of opinion through which Sir Frederick Halliday's mind passed with reference to this subject were exactly those which had marked his own course of thought. But Mr. Buckland, in appealing to the minute written by Sir Frederick Halliday, had omitted to notice any further or subsequent expression of opinion given by that gentleman. Eighteen years after the preparation of the minute referred to, in 1856, when Sir Frederick Halliday was Lieutenant-Governor of Bengal, with the advantage of a longer experience and maturer judgment, he wrote another minute on crime and police, and the administration of the criminal law in Bengal. He (Mr. Money) there found the following remarks:—

"Yet miserably impaired as the institution of the village police has become, it is still true that no police can be effective without their help, and that, as stated in the minute of Lord Hastings, dated 2nd October 1815, 'it is from the chowkeedars that all information of the character of individuals, of the haunts and intentions of robbers, and of every thing necessary to forward the objects of police, must ordinarily be obtained; they are the watch and patrol to which the community looks for its immediate protection, and on the occurrence of a crime, the darogah's only mode of proceeding is to collect the watchmen of all neighboring villages, and to question them as to all the circumstances, with a view to get from them that information which they only can afford. The village chowkeedars are in short the foundation of all possible police in this country, and upon their renovation, improvement, and stability depends the ultimate success of all our measures for the benefit of the country in the prevention, detection, and punishment of crime.'"

Then in paragraph 39 would be found the following:—

"What is, however, necessary to secure the old institution of a village watch from falling into utter desuetude, and for keeping it in a state of vigour sufficient for our present purposes, but doubtless to be further improved and reformed hereafter, is a law which shall enable a magistrate, on finding a village without a chowkeedar, or a chowkeedar without wages, to make a summary enquiry, and according to the nature of the case, either to cause the nomination of a fit chowkeedar by the person or persons to whom the nomination may be proved by custom and usage to belong, or to cause payment of his wages at the rate found customary by the person or persons on whom the customary liability to pay such wages may be found to fall."

Again, in paragraph 40 Sir Frederick Halliday said:—

"It has been objected by some very competent advisers on such subjects that, even when all this shall have been done, we shall be as far as ever from our object; that the village chowkeedars at the best are an untrustworthy, unorganized rabble, and that no real improvement will be effected unless we get rid of them altogether, and organize a rural police according to the newest forms of occidental civilization. And it is common with those who advocate this method of reform to point to the 24 or 25 millions of the population, and to urge how easily a sum might be raised from them, not greater than they now pay for

their imperfect village watchman, which, in the hands of a skilful organizer, might be made to provide for the establishment in each zillah of a well-paid, dressed, and disciplined force, inferior in numbers to the present rural police, but far superior in trustworthiness and efficiency. To some such plan as this I have myself leaned in earlier days, nor do I doubt either that if it were practicable it would provide a vastly improved rural police, or that we may fairly look forward to such an improvement hereafter, though as yet at a great distance. I am satisfied, however, that to press for such a measure now would be impolitic and unwise, and that we might lose all in our anxiety to attain a desirable end sooner than can be reasonably expected. We must do our utmost to carry the people with us in our police reforms. At present they will readily admit their old established obligation to maintain village watchmen in a certain customary proportion to the size of each village, and to pay them after a certain usage which may differ somewhat in different villages, but has long been accommodated to old habits and customs in all. They will not, however, regard with favor a distinct and precise taxation for a new police, the application of which they doubt, and the object of which they will be very likely to misunderstand."

He (Mr. Money) thought these extracts showed very conclusively that Sir Frederick Halliday, eighteen years after the minute referred to by Mr. Buckland, so far from supporting the principle advocated by that gentleman, had lent the great weight of his authority to the principle accepted by the council in the present Bill; and the honorable mover of this Bill might, with very much more justice than the commissioner of Bardwan, quote Sir Frederick Halliday as a witness in favour of the course he had adopted.

But Mr. Money would also adduce in favor of the principle of the Bill the testimony of another officer, which to his mind carried greater weight, and was of more authority in a question of this kind than the opinion of Sir Frederick Halliday. He referred to Mr. Robinson, late Inspector-General of Police in the Madras Presidency. That gentleman was undoubtedly on all questions of police the first authority in India. By his ability, his untiring energy, and thorough knowledge of the subject, he had made the police of the Madras Presidency a model and an example to that of all others; he had done what it falls to the lot of few men in this country ever to do; he had initiated and carried out successfully a large and comprehensive measure of administrative reform. When the present Bill was first published, Mr. Money had, as he told the council last Saturday, sent a copy of it to Mr. Robinson, and asked him to state what he thought of it. Mr. Robinson's answer was as follows:—

"I like your Bill on the whole very much. Only municipalize more and cut off meddling Peeters and magistrates more than you do, and trust your people. They are more interested in the safety of themselves and property than we are—we don't like to believe this I know—and can provide for it far better as respects village interests than we can. But we must take them in some measure in their own way."

Mr. Robinson then referring to a Town and Village Municipal Act, recommended by him some five or six years ago, said:—

"You will see that in principle we are at one on the whole. I would go further now than then. I am older and I believe wiser in my appreciation of the people and their excellent institutions."

The remarks made by Mr. Robinson were more applicable to the Bill as it was introduced than to the Bill as it now stood. The select committee had amended it in the direction recommended by Mr. Robinson. They had given more freedom of action to the panchayet, and had curtailed the power of interference on the part of the magistrate and the police. In fact the interference of the police had been set aside altogether. With the municipal Bill for the Madras Presidency, which he (Mr. Money) had referred to above, Mr. Robinson had sent up a letter to his own Government, parts of which appeared so applicable to the state of things in Bengal that he (Mr. Money) would read an extract or two to the council, if they were not tired of the subject:—

"In towns we have to create municipal action. In villages it has existed from time immemorial, especially as regards their domestic police. We only want the means of making it active. For I am inclined to ascribe the present unsatisfactory condition of the village services to faults of our own legislation, rather than to absence of municipal feeling in the country. The village system with its institutions has existed from time immemorial in every part of this presidency save Malabar, and the people are still deeply imbued with the feelings of municipal management and community of village interests."

"The villagers did at one time maintain their village services in some degree of vigor and respectability; so much so that our early administrators saw reason for endeavouring to strengthen and comfort the village system and its services. So strong indeed was the feeling that the villagers might, and should be entrusted with the control and management of their own servants, that no legislative provision was made for the prompt recovery of their remuneration. On the principle that, if the villagers were well served, they would pay their servants as they had done from time immemorial, it was deemed inexpedient to take any step that should weaken the power of the villagers in controlling the servants they paid."

"But the law, as from time to time enacted, has interfered with the free action and growth of this municipal feeling, and has centralized the management of all village services in the powerless hands of Government officials. This departure from sound principle has unavoidably resulted in bad administration, and the people have withdrawn their interests and support."

"The present miserable, wasted, and dilapidated condition of these once stalwart and respected institutions tells the tale of years of a distrusting and centralizing policy."

Any one who knew the difference between the existing condition of village institutions in Bengal and in Madras, would perceive that these remarks applied with even greater force to Bengal than to Madras. He (Mr. Money) entirely concurred in the observations and conclusions of Mr. Robinson. He believed that one of the chief and most valuable characteristics of the Bill before the council was that it recognised the worth of an old institution belonging to the country; it was an attempt to improve what exists, instead of substituting for it something new and therefore distasteful to the people. He (Mr. Money) was of opinion that we are all too prone to think that there is no progress

and no reform except in measures in consonance with English ideas and thought, and consequently with an English state of society. He believed on the contrary, and the older he grew the more he believed it, that the closer we identify ourselves with the general feeling of the people, and the more we bring our measures for their good into harmony with their own institutions, with their mode of life, their habits and their thoughts, the more likely we are to achieve success. It was because this Bill appeared to him to be a step in that direction, and to fulfil those conditions, that he gave it his cordial support.

Section 55 provided that the assessment made on chowkeedaree chakran lands should be payable "yearly in advance."

BABOO JOTENDRO MOHUN TAGORE said that the amount of annual assessment on these lands would necessarily be large, and if the whole were required to be paid at once, the zemindar might find it very inconvenient to do so. He thought it would conduce to the convenience of the proprietor, without interfering with the sufficiency of the chowkeedaree fund if the assessment were paid quarterly instead of yearly. He therefore moved an amendment to that effect.

MR. THOMPSON said he would have been glad if the hon'ble member had given notice of this amendment. In the belief that these chakran lands were of small extent, the committee had thought it advisable to require the payment to be made yearly in advance, so as to secure its early payment for the purposes of the Bill. The arrangement on which the Bill was drawn would also prevent the great inconvenience, trouble, and expense involved in the collection of quarterly payments, and, in default of payment, the holding of quarterly sales. It was in this view that the select committee had provided for yearly payments; and he thought the provision ought to be retained.

The motion was negatived, and the section was agreed to with a verbal amendment.

On the motion of Mr. Thompson, the following sections were substituted for sections 56 and 57 :—

"LVI.—Every such assessment shall be deemed to be a demand to be realized in the same way as an arrear of revenue."

"LVII.—Whenever such assessment shall be in arrear for the space of fifteen days after it shall have become payable, the collecting member of the panchayet shall forward to the collector of the district, in which the land so assessed is situate, notice of the amount of such arrear in the form in schedule D annexed to this Act."

On the motion of Mr. Thompson the following section was introduced after the above :—

"LVIII.—Immediately after the receipt of the said notice, the collector or other officer authorized to hold sales under the law for the time being in force, for regulating sales of land for arrears of revenue, shall proceed, without any preliminary notice for payment to issue a notification for sale under section 6 of Act XI. of 1850, and unless the arrears be paid within the time mentioned in such notification shall sell such land according to the provisions of such law as if such land were an estate within the meaning of Act VII of 1868, passed by the Lieutenant-Governor of Bengal in Council; and all provisions of the law for the time being in force with respect to the sale of such estates shall apply to the sale of such land, and every such sale shall have such and the same force and effect as if the same were a sale of an estate for arrears of its own revenue, and such land shall be held by the purchaser thereof subject to such assessment, but freed from all other charges and incumbrances save those to which he would have been liable if the said land had been an estate sold for arrears of its own revenue."

Section 58 stood as follows :—

"LVIII.—Such collector shall out of the produce of such sale, after defraying the costs of and attending such sale, pay to the collecting member of the panchayet, after the expiration of one month from the day of such sale, the amount due for arrears of such assessment, and pay the balance of such produce to the person to whom such land shall have been so transferred, his heirs or assigns, to be by him, in case he be not the person entitled to such land subject to such assessment, paid to the person so entitled."

A verbal amendment was made on the motion of Mr. Thompson; and after some conversation the further consideration of the section was postponed.

On the motion of Mr. Thompson, section 59 was struck out.

Section 60 was as follows :—

"LX.—When any lands shall have been transferred to any zemindar under the provisions hereinbefore contained, the right to the performance of any services to any person by the occupier of such lands in respect of his occupation thereof shall wholly cease and determine."

MR. WYMAN said that this section appeared to abrogate the right on the part of the zemindar to the services of the chowkeedar; but he understood that under certain tenures the zemindar was entitled to a quit-rent in lieu of service. He wished to be informed if any provision was to be made for such cases.

BABOO ISHUR CHUNDER GHOSAL said that there might be some tenures in which a quit-rent was paid in lieu of service; and he thought provision should be made for such cases.

MR. SCHALCH said that in Midnapore in some of the tenures a sort of *peshkash*, or quit-rent was paid. Supposing that such tenures are to come under the operation of the law, that would be a matter for consideration when the definition clauses came before the council. He presumed, however, that the quit-rent would be merged in the half assessment of the land which would be transferred to the zemindar. The section under consideration merely related to the right to service, and he (Mr. Schalch) did not think that any saving of the right to service would save the quit-rent.

MR. THOMPSON said that it was certainly the intention of the Bill that if the land were transferred to the zemindar, the quit-rent, if he received any, should merge in the remission

made of half the assessment. If that was not quite clear some alteration would be required. Mr. Thompson did not think that by the section before the council the right to quit-rent was abrogated.

MR. WYMAN said that if the principle for which he was contending was admitted, there would be no necessity for altering this section.

The section was then agreed to with a verbal amendment.

On the motion of Mr. Thompson, section 61 was struck out.

Section 62 was agreed to.

Section 63 was as follows:—

"LXIII.—Whenever in any district in which such commission shall have been appointed any question shall arise whether any or what land is liable to be assessed under the provisions hereinbefore contained as to chowkedaree chakran land, it shall be lawful for the magistrate to refer to such commission such question, and the decision of such question by such commission shall be final."

BABOO ISSUR CHUNDER GHOSAL moved the addition to the section of the words "subject to appeal to the judge of the district." He thought that the right of an appeal should be given. Cases might occur in which the commissioners might make a mistake in their decision. The operation of the Act would not be confined to one particular district, but to the whole of Lower Bengal, and to guard against the possibility of injustice provision should be made to give an appeal from the commissioners to the judge of the district.

BABOO JOTEENDRO MOHUN TAGORE said that in making the investigations contemplated by the Bill questions of title would occur, and questions of title could only be satisfactorily decided by persons having large judicial experience. A right of appeal should therefore be given.

BABOO ONOOCOOL CHUNDER MOOKERJEE said that the investigations to be made under this bill would include the question as to what lands were *mal* and what *chakran*, and thus involve questions of title; and it was not quite clear by what rules the commissioners were to be guided in their investigations. It would be necessary therefore to allow an appeal to the zillah judge, from whose experience as a judicial officer a satisfactory decision might be expected. We were not quite sure what rules would be laid down for the guidance of the commissioners, and what rules for the reception of evidence, *viz.*, what is legal and what is not legal evidence; and therefore in support of the amendment he (Baboo Onoocool Chunder Mookerjee) would submit that a judicial officer of some standing should have the power to see whether the determination of the commissioners was correct or otherwise.

MR. THOMPSON said that the section did not refer to any question regarding the liability of assessment on account of any land: the commissioners had only to decide whether the land was *mal* land or chowkedaree chakran land. Both the committee who reported on and recommended this bill, and the select committee who discussed its provisions, thought it desirable that commissioners should be appointed to decide these disputes finally, with the express object of keeping them out of the endless litigation that was likely to ensue in the civil courts. The next section of the Bill provided that the procedure should be the same as that in settlement work which the collector carried on under Regulation VII of 1822, and not the regular procedure which the civil courts followed. Under the impression that it was thought advisable to provide for the appointment of an officer of experience to give a final decision in cases of disputes, the majority of the committee decided that no appeal to the civil courts should be allowed.

MR. WYMAN thought it would only be right to allow an appeal to a judicial officer. He was disposed to support the amendment on the ground that it could not possibly do much harm and might protect the legal rights of the parties concerned.

MR. MONEY said he was opposed to the amendment. In the first place it was rather anomalous to give an appeal to one person from the decision of two or three. The result practically would be to give an unfair advantage to one side over the other. If the decision of the commissioners was given against the zemindar, he would appeal. But if given on the other side the villagers from want of means could not, and the Government would not appeal. Practically, therefore, it would be giving one side great advantage over the other.

BABOO ISSUR CHUNDER GHOSAL said that the hon'ble member who spoke last was opposed to the amendment on the ground that if the decision of the commissioners was against the zemindar, the chowkedar or the village community would not be in a position to fight out the appeal; but on the other hand he (Baboo Issur Chunder Ghosal) did not see how the case could lie. What remedy would the hon'ble member suggest where the village community or the zemindar claimed more land than they were actually entitled to? The experience of the past showed that the zemindar had suffered more at the hands of the officials than from those who were openly against them. He thought that in such cases as the one the council was considering provision should be made for an appeal. If there was any difficulty in doing so, it was the business of the council to endeavor to overcome that difficulty. It was no reason, because there was a difficulty, that the question should be shirked.

THE PRESIDENT pointed out that the amendment of the hon'ble member was rather to the new section which the hon'ble member in charge of the Bill intended to propose after

section 64 than to the section now under consideration. He would suggest that the hon'ble member should withdraw his amendment, and propose it again when the motion for the introduction of the new section was made.

The motion was then by leave withdrawn, and the section was agreed with some verbal amendments, and the omission of the words—"and the decision of such question by such commission shall be final."

Section 64 was agreed to.

MR. THOMPSON moved the introduction of the following section after section 64A:—

"LXIVA.—Such commission shall demarcate the boundaries of any lands which they may determine to be chowkedaree chakran lands, and shall make orders under their hand setting forth the land which they shall have determined to be chakran chowkedaree lands and the boundaries thereof, and the name of the village for the support of the chowkedar of which such lands are assigned. Every such order shall be final and conclusive respecting all matters hereinbefore required to be set forth in such order so far as the same shall be therein set forth."

BABOO ISSUR CHUNDER GHOSAL moved the omission of the last clause of the section and the substitution for them of the words—"Every such order shall be subject to an appeal to the judge of the district, and the decision of such judge shall be final and conclusive."

THE HON'BLE ASHLEY EDEN said he was strongly opposed to the amendment. The cases which under this Bill the commissioners to be appointed would have to try were really settlement cases, which as district officers having large experience in such matters they would be thoroughly qualified to decide. A great deal would have to be done by local enquiry, and the persons appointed to be commissioners would be officers who were much more reliable for the purpose of such enquiries than the civil court ameen, who practically would be the officer who had to demarcate disputed boundaries of chakran lands if the cases went into the civil court.

Another reason why he (Mr. Eden) was opposed to the amendment was the great expense attending appeals to the civil courts. The hon'ble gentleman had said that he did not see that any expense was involved in one case which was not involved in the other; but surely villagers appearing before commissioners and stating their case to them would have no expenses, while in the civil court they would have to buy stamps, employ pleaders, and incur all the expenses of a regular suit. Besides what status would the villagers have in a civil court: there would be a great practical difficulty in settling which of them had a right to sue. It was proposed to allow an appeal to the district judge; but it must be remembered that from the decision of the judge there would always be an appeal to the high court, and there might perhaps be an appeal to the privy council.

BABOO ONOOCOOL CHUNDER MOOKERJEE said that in the settlement law, Regulation VII of 1822, under the provisions of which the commission is to act as far as necessary, except in the matter of the amount of the assessment of the land revenue, a right is reserved of contesting all other adjudications, as of area, and the party with whom the settlement is to be made, * * * by regular suit in the civil court, and there is also provision in that law for appeals to the Board of Revenue. If the same law (VII of 1822) was intended to be made applicable to inquiries by commission under this Bill there would be an appeal to the Board of Revenue, and the proceedings of the commission would be liable to be revised by a civil court. It is only proposed that instead of giving a right by regular suit to the party dissatisfied with the order of the commission, there should be allowed a right of appeal from the order of the commission to the zillah judge, who is a judicial officer of experience and acquainted with the rules of evidence. If the villagers can support their case before the commission and bear the expenses consequent to it, he (Baboo Onoocool Chunder Mookerjee) could not see why they, the same villagers, cannot prosecute or defend an appeal to the zillah judge. In answer to the objection as to interminable appeals and protracted litigation, he would suggest that only one appeal might be allowed and no more, and the decision on that appeal be declared final.

The council then divided:—

AYES 5.
Baboo Jotesdro Mohun Tagore.
Mr. Wyman.
Baboo Chunder Mohun Tagore.
" Issur Chunder Ghosal.
" Onoocool Chunder Mookerjee.

NOES 6.
Mr. Schulch.
" Thompson.
" Money.
The Hon'ble Ashley Eden.
" Acting Advocate-General.
" President.

The amendment was therefore negatived and the section was agreed to.

Sections 65 to 68 were agreed to.

Section 69 was passed with verbal amendments.

The further consideration of the Bill was postponed.

The council was adjourned to Saturday, the 28th instant.

Annual Report of the Botanical Gardens for the year 1870.

From C. B. CLARKE, Esq., M.A., Officiating Superintendent, Botanical Gardens, to the Secretary to the Government of Bengal,—(No. 217, dated Botanical Gardens, the 20th April 1870.)

I beg leave to submit the report of the Calcutta Botanical Gardens from 1st April 1869 to 31st March 1870.

2. From 1st April 1869 to 24th May 1869, Mr. W. S. Atkinson was officiating superintendent of this garden. I received charge from him on 25th May 1869. Since 1st August 1869, my attention has been almost entirely occupied by the cinchona cultivation and manufacture. I regret this the less that the entire re-planting of the natural orders with trees and large shrubs subsequent to the devastation caused by the great cyclone, had been nearly completed by Dr. Anderson before he left for England in February 1869, so that in this department of the garden it will probably be advisable not to attempt much before the trees planted have got up a little.

3. In these arborescent natural orders several hundred young trees have been planted out during the year, either by way of replacing dead specimens or adding species which were not available at the general re-planting of Dr. T. Anderson. The ground formerly occupied by the Agricultural and Horticultural Society was given up by the society at the close of the financial year 1868-69, and the natural orders destined to occupy this ground (*viz.*, *Sapindaceae*—*Sabiaceae* and *Anacardiaceae*.) were immediately planted out thereon by my predecessor.

4. The garden being now exposed fully to the south wind which blows across the river, even the hardy indigenous trees, such as *Terminalia Catappa*, are very reluctant to start when first planted out in the open, and many of the young plants of exotic species which grow into large trees in their natural habitats, show an inclination to degenerate into stubborn small shrubs. I have planted during the year large quantities of casuarina (which grows up very quickly in the most exposed situations) to afford shelter to the young trees. These casuarinas may of course be largely cut down as soon as they have performed their duty as nurses.

5. The collection of annual and herbaceous plants which is arranged into natural orders and which corresponds to the principal portion of European botanical gardens has been increased by nearly two acres. This herbaceous garden is readily available for botanic study, and supplies specimens for the pupils of the Calcutta Medical College.

6. Several new species of palms have been obtained from the Buitenzorg botanical garden, and several new species of ferns, principally from Buitenzorg and Kew.

7. The now large collection of orchids has been increased by some new species received from Kew, but principally by specimens obtained from the gardeners in charge of the Government cinchona plantations in Sikkim and the Khasi Hills. The curator of the garden continues with increased success the cultivation and flowering of these in the bamboo-trellised houses constructed after the plan of Bengalee pân gardens.

8. The rain and sun of Bengal have been found alike destructive to the paint employed on the name labels attached to plants, and from this cause it has hitherto been found impracticable to keep more than a limited number of the plants in the natural orders legibly named. The plan of stamping the names on the metal has been commenced.

9. The larger old trees stand mostly isolated, and a storm of moderate severity may now do more damage than was formerly done by a typhoon. On the 9th June last, the garden lost the only specimen of *Asterogyne Coriacea* that survived the typhoon of 1857, a new and interesting species of *Syzygium* brought from Parasmath by Dr. T. Anderson, a specimen of *Grevillea robusta* just arriving at a seed-bearing state, and many other valuable trees. The young trees lately planted out were torn up in large numbers, the avenues of palms especially were almost entirely thrown down. These young trees were all set up again, but their growth has been seriously checked, and in some cases permanently spoilt. The palm nursery house was entirely destroyed; the sides and doors of the fernery were blown flat down, and every frond stripped from the ferns. The garden also lost full half of the stock of young trees intended for distribution to the public, by the destruction of the stages on which the pots for layers were placed.

10. The damage done by this storm was nevertheless mainly of a temporary nature. When Dr. T. Anderson's design shall have been completed, and the trees have grown up into solid masses as in Dr. Wallich's time, I doubt whether the garden need fear much from typhoon.

11. Subjoined is the abstract of plants received here from 1st April 1869 to 31st March 1870.

	Wardian cases.	Boxes.	Number of plants.
Messrs. J. Veitch and Sons, Chelsea, London	...	2	30
Botanical Garden, Java	8	...	332
W. M. Bourke, Esq., Calcutta	...	1	37
C. Macleod, Esq., Foreign Department	...	...	10
W. Virgoe, Esq., Melbourne	1	...	33
Messrs. George Wall and Co., Colombo	5	...	1,149
„ T. Laing and Co., Ballarat	...	2	280
Dr. J. B. King, Port Blair	...	44	520
The Gardens, Barrackpore Park	...	...	2
Baboo Jeebon Kissen Paul, Chinsurah	...	...	28
Agricultural and Horticultural Gardens, Madras	3	...	43
Botanic Garden, Bangalore	2	...	49
The Cinchona plantations, Khasi Hills	...	20	517
Dr. Jordon, Shillong	...	2	45
G. Bartlett, Esq., Calcutta	...	...	31
W. S. Atkinson, Esq., from Darjeeling	...	1	12
Officiating Supt. Botanical garden, Calcutta, from Darjeeling	1	1	114
Mr. Deer, ship <i>Newcastle</i>	1	...	12
The Royal Gardens, Kew	4	...	169
C. Laurie, Esq., Calcutta	...	...	3
The Cinchona plantations, Darjeeling	...	1	87
M. Henri de Poli, des Messageries Imperiales	2	...	45
J. H. Gilbert, Esq., Moulmein	...	1	54
Total	27	75	3,632

The contributions sent by Dr. J. B. King from Port Blair are large not only in quantity but in value. From the cinchona plantations, and from Dr. Jordon, large quantities of Bengal hill-ferns have been sent in dry boxes. I regret to say that hardly one of these has resuscitated at Calcutta, and I fear the only chance of getting these ferns to Calcutta is by the employment of Wardian cases.

12. The following is the abstract of plants distributed hence in cases and boxes from 1st April 1869 to 31st March 1870.

	Wardian cases.	Boxes.	Number of plants.
Superintendent, Port Blair	...	31	1,655
Messrs. George Wall and Co., Colombo	2	...	50
Botanic Garden, Shaharunpore	...	1	11
Dr. J. B. King, Port Blair	...	3	231
Colonel G. E. Voyle, R.A.	...	1	25
Public Garden, Allahabad	...	25	1,073
A. L. Clay, Esq., Offg. Dy. Commr. of Puralia, Maunbhoom	...	5	200
Agricultural and Horticultural Gardens, Madras	2	...	66
H. L. Johnson, Esq., Assistant Magistrate, Kooshteah	...	2	100
Botanic Garden, Bangalore	2	...	65
Lady Ord, Singapore	1	...	74
W. Pigott, Esq.	1	...	32
Public Garden, Umritsur	...	13	315
Captain Laing, Commander, steamer <i>Tanda</i>	1	...	32
G. W. Thomas, Esq.	...	1	21
Botanic Garden, Java	2	...	119
Mr. Dunne, Sooburnecolly	...	2	87
Sir T. J. Metcalfe, Bart., London	...	1	91
Baron Nathaniel Rothschild, M.P., London	...	1	95
Mr. Deer, ship <i>Newcastle</i>	1	...	18
Public Garden, Mirzapore	...	5	303
C. Dumaine, Esq., Vice Consul, Italy, Calcutta	2	...	300
Dr. Jordon, London	...	1	50
Captain Patt, steamer <i>Ivanhoe</i>	...	1	18
Lady Napier, Madras	1	...	12
Royal Gardens, Kew	3	...	84
Total	18	93	5,567

Besides these 5,567 plants, there were distributed in Calcutta 4,377 plants, making a total of 9,944 plants, as against 6,973 plants distributed in the corresponding previous year.

13. During the year under report the total number of packets of seeds received was 3,007. For these the garden is principally indebted to the Royal Gardens of Kew and Melbourne, the Jardin des Plantes Paris, the Botanic Gardens of Buitenzorg, Palermo, St. Petersburg, Berlin, and Hamburg; M. Henri de Poli, of the French mail service, has also made considerable contributions of seeds from France, Ceylon, China, and Australia; and the Botanical Garden is further indebted to this gentleman for the facilities he affords in the transmission of Wardian cases of plants between this and other gardens.

14. During the year there have been sold to the public, seeds realising Rs. 454-12-4, exclusive of the larger quantity sold to the Agricultural and Horticultural Society. The amount due for these would be about Rs. 760, according to the agreement made between Dr. T. Anderson and the secretary of the Agricultural and Horticultural Society, but the society claims some abatement of this charge, on the ground that the seeds which the garden has been able to supply have not been the sorts contemplated under the agreement.

Museum.

15. All the plants, forming the herbarium proper, have been now glued down and are arranged by orders and by genera, and to a large extent by species. There is still room for an indefinite amount of work in the more accurate arrangement of the species, and in the determination of the still considerable number of indeterminates, but the herbarium is now available for consultation, and we can at once turn to any genus and point out what treasures under that genus the herbarium possesses.

16. As exception to the preceding statement, the palms are not yet glued down; they require very large sized paper, which has not yet been obtained from England. Also the orders Gramineæ, Cyperaceæ and Apocynaceæ sent to England by Dr. Thomson for determination at Kew, have not yet been returned, but are shortly expected. Also the Aden plants of Dr. T. Anderson, and a part of the Burmese collections of Mr. Kurz, have been sent to Kew temporarily for use in pending publications. The very large mass of duplicate specimens, on the examination of which the curator of the museum is now engaged (as also the yet unexamined Assam collections of Messrs. Masters and Jenkins, and a miscellaneous collection of Mr. Grote) will also furnish considerable additions to the herbarium.

17. The following additions to the herbarium have been presented during the year:—

Dr. F. O. Mueller, Melbourne, two valuable collections of Australian plants.

C. B. Clarke, inspector of schools in south-east Bengal, a collection of Dacca and Khassi plants,—about 500 species.

—Landell Esq., Khagan, a small collection of north-west Himalayan plants.

18. The collection of Bengal plants is now so large and full that the plan at first adopted with miscellaneous Bengal collections, viz., of mounting at least one specimen of each and then arranging these out in the herbarium, can be no longer economically followed. Of many of the commoner plants there are already 50 to 100 specimens of each species in the herbarium, and the addition of duplicates of identical form with one already fully represented, only entails another toil in wedging judiciously the bundle again afterwards. Additions to the Herbarium, small in quantity, but of species before imperfectly (or not at all) represented have been made at numerous points during the past year, and this kind of addition will in future be the most valuable, but it can only be made by those who know pretty well what there is already in the herbarium. Several hundred sheets of selected specimens of dried Bengal plants have also been despatched to other herbariums.

19. The binding of the library has been continued so far as the funds at disposal would permit. With the increased rate of publication of botanical literature, the fixed allowance which sufficed formerly to keep the library up to the day can hardly now be expected to do so.

20. The following books have been received during the year:—

J. L. Stewart, Punjab Plants. Presented by the Government of India.

G. Bentham, Flora Australiensis, vol. IV.

F. O. Mueller, Fragmenta Phytogr. Australia, fasc. Nos. 50 and 51, presented by the author.

Walper's Annales Botanice, vol. VII., fasc. 3 and 4.

Miller's Elements of Chemistry, 3 vols.

S. Kurz, Remarks on the species of Pandanus, (pamphlet)

S. Kurz on Pandanophyllum and allied genera (pamphlet) ...

J. Scott, List of Cryptogams of Botanical Garden, Calcutta ...

T. Anderson, List of Acanthaceæ of Botanical Garden, Calcutta, (pamphlet.)

} Presented by the authors

G. Baker and Sir W. Hooker. Synopsis Filicum, 1 vol.

Drury, Handbook of Indian Flora, vol. III.

H. Baillon, Monographie des Monimiacées.

P. Rohrbach, Monographie der Gattung Silene, 1 vol.

R. Hegelmaier, Monographie der Lemnaceæ, 1 vol.

H. G. Reichenbach, Xenia Orchidaceæ. vol. I. (wanting Nos. 1 to 3) and vol. II. (Nos. 1 to 6.)

H. Baillon, Histoire des Plantes, parts 1 to 6.

D. Oliver, First book of Indian Botany. Presented by the publishers.

Moens, T. C. B., *Onderzoek van basten van Cinchona Calisaya* (pamphlet), presented by the author.

DeCandolle, *Prodromus Regni Vegetabilium*, vol. XVI., sect. prior.

Salm-Dyck, *Cactee*, 1 vol.

V. Kämpelhuber, *Geschichte der Lichenologie*, vol. II.

Hasskarl, *Polygalaceae, praesertim Indica* (pamphlet.)

Baillon, A. *Histoire des Plantes; Legumineuses Cesalpiniées*.

Van der Bosch and Van der Lande *Lacoste, Bryologia Javanica*, fasc. 61.

Linden, J., *Pescatorea*, 1 vol.

Periodicals.

Proceedings of the Linnean Society, Botany, vol. X, No. 48, and again, vol. X., vol. XI., Nos. 49 to 51, and vol. XII.

Quarterly Journal of Microscopical Science and Transactions.

The Annals and Magazine of Natural History, Nos. 34 to 36.

Botanical Magazine Nos. 290 to 300.

Seemann, S. *Journal of Botany*, Nos. 74 to 84.

Annales de Science Natur. Bot. 5 ser., to IX., Nos. 3 to 6, volume X., Nos. 1 to 2.

Botanische Zeitung, 1869, Nos. 1 to 47.

Linnaea, vol. XXXII. Heft. 1 and 2.

Miquel, *Annales Musei Lugd. Bot.*, vol. III., fasc. 10, and vol. IV., fasc. 1 to 7.

Flora 1868, Nos. 33 and 34, 1866, Nos. 1 to 25.

Bulletin de l'Acad. Imp. des sciences naturelles de St. Petersburg, vol. XIV., Nos. 4 and 5, vol. XIV, Nos. 1 and 2.

Journal of Travel and Natural History, vol. 1, Nos. 2 to 6.

21. The nucleus of the economic museum collected by Dr. T. Anderson consists of specimens of wood and of economic products in bottles. The paper labels on both these were found to suffer by the white ants, and the whole collection has been now labelled with stamped metal.

22. The museum is generally in good condition, but is not safe, the building being infested in an extraordinary degree by white ants. Moreover, any book left outside a closed case is liable to be eaten by rats. The curator takes every precaution to protect the herbarium and library; but though much additional labor is expended by the establishment, the curator has reported to me, that neither the plants nor books can be considered safe from day to day. The danger is much increased by the dampness of the very insufficient museum building; but I doubt whether in any house in Calcutta, piles of dried plants, too large to be daily overhauled, and of which the arrangement must not be altered, would be secure in any building. The library is divided, and the larger portion is kept in the superintendent's house, where it is comparatively safe. However excellent a library building was provided, I believe a large part of the library would always be out of the building.

Cotton.

23. On taking charge of the garden, I found in it a very good collection of cotton plants, i.e., single specimens of many varieties cultivated after the manner of botanic gardens. The curator called my attention to the excellence of the quality of some of these, as of the Sea Island, but more especially of two of Major Trevor Clark's seedlings, and also to the great luxuriance with which these plants grew in Bengal without any particular care in the cultivation.

24. Native cottons are still cultivated in many districts in Bengal as a profitable crop, though the produce is worth but 3d. a lb. The principal cultivation now is carried on in the lower vallies of the hills and in terai jungle, as in the Darjeeling Terai, the terai south of the Garo Hills, and in the low hills of Chittagong and Comillah. In such places the culture is of a very rough description, and the rent paid for the land is exceedingly small. For the higher class cottons I should prefer the deep, alluvial flat soil of the delta, for which a considerable rent would have to be paid; yet I believe there is an excellent probability that such cottons as Major Trevor Clark's seedlings would prove remunerative in Bengal; one of these has been valued at 8s. per lb. in the Calcutta Chamber of Commerce, and there does not appear to be any greater difficulty in growing it than in growing any ordinary cotton. It is true that there have been many failures in the attempts to grow cotton profitably in Bengal: so there were many difficulties and many disappointments in the early attempts to cultivate cinchona. When the same machinery and the same energy which succeeded in discovering how to grow cinchona shall have failed in discovering how to grow cotton, I shall still think the impossibility of growing it unproved.

25. I have this year, of Major Trevor Clark's seedlings, No. I. and No. II., fifty plants and five plants respectively, and I should add that the quality of the cotton of No. I. this year appears extremely inferior to that which it produced last year. These hybrid fancy cottons are obtained, I believe, by Major Trevor Clark by complex hybridization, and it is possible, therefore, that we may not be able to produce them true from seed; but as regards the particular case of this No. I., it must be remarked that the seed was collected last year from a single plant which stood in the midst of numerous other varieties, so that it was doubtless cross-fertilized by many other kinds.

26. The only plan for giving these high class cottons, especially the hybrids, a fair chance of getting established, is to occupy far more ground with them than can be assigned them in a botanic garden, and to cultivate each particular sort in a patch at a considerable distance from other sorts. I have lately despatched to H. Rivett Carnac, Esq., seed of Major Trevor Clark's No. II. for trial on the seed farms which he has established. I should expect this Sea Island class of cottons to thrive, however, far better in Bengal than on the high land of Central India.

27. Whether any of these fancy hybrids can be established in Bengal or no, the well-known Sea Island flourishes in Bengal, reproduces itself truly, and I think ought to be commercially profitable. I am very anxious to try a few acres of this cotton, of Egyptian, and of hybrid, but I have as yet failed in hiring land near enough to the garden to admit of a close supervision.

Ipecacuanha.

28. The plants of *ipecacuanha* in this garden are in almost exactly the same condition that they were a year ago. They have been moved into every variety of situation, and the curator has exhausted his art in varying the management of them, but they remain unhealthy-looking little shrubs, three to four inches high, with no growth upon them.

29. The plants of *ipecacuanha* sent to the cinchona plantations near Darjeeling have done slightly better. The stock has been increased to twelve plants, of which five are planted altogether out of pots. The two larger plants are six inches high, and one of them seems about to produce bloom. The growth for the year is excessively small, but the older plants' growth was spoilt by taking cuttings from them, and the plants are far healthier than those kept at Calcutta. The elevation at which they are kept is from 200 to 3,500 feet; one planted out at 5,000 feet died, it is presumed, from the cold.

30. The opinion both of the head gardener at Darjeeling and of the curator of this garden is, that *ipecacuanha* is a plant which will not endure severe cutting, and that our chance of successfully growing it on any large scale must be by seed. As explained in my last annual report, there is little chance of the plant setting seed while we have plants of only one of its two dimorphous types.

Dr. Anderson has collected diligently plants from various European gardens, and hopes to bring out with himself forty or fifty plants: he has succeeded, moreover, in getting both the long-styled and short-styled forms.

Tobacco.

31. I owe to the kindness of Dr. J. D. Hooker some seed of the finest sort of Latakia and Havana tobacco; this has produced flourishing patches of plants, the seed from which is promised to H. Rivett Carnac, Esq. The garden possesses also Mauilla and Virginian tobaccos in addition to many sorts botanically curious.

Rheea.

32. His Excellency the Viceroy having directed public attention to the cultivation of rheea, the curator of the garden has propagated by cuttings (the garden plants do not here produce seed) the specimen rheea plants and has been able during the year to supply 112 plants to various public officers and private individuals desirous to experiment therewith. The curator has now 1,000 plants available for distribution.

33. In botanical works the modern name for rheea is *Bahmeria nivea*, and Roxburgh's old name of *Urtica tenacissima* is supposed either to be exactly synonymous with it or to indicate a very trifling variety. The Secretary of State for India has lately forwarded to the Government a printed extract from the *France du Nord* of the 29th December 1869, which states that in America the cultivation of *Urtica utilis*, or *Urtica tenacissima* of Roxburgh, has been taken up, and that this species has been found to be superior to *Bahmeria nivea* in that its fibre can be worked up with perfect facility. In the absence of all specimens, I can only remark on this that it is quite possible that the fibre of one variety may be very superior to that of another, as is the case in cotton, though the varieties may be considered by botanists as one plant.

But as regard the plants issued from this garden as rheea, they are produced by continual cuttings from Roxburgh's own *Urtica tenacissima*, and if the American plant has any superiority to our rheea, it can only be because it is not exactly the *Urtica tenacissima* of Roxburgh.

Salt-Water Lake Cultivation.

34. In December 1869, the experimental cultivation of a drained portion of the Salt-Water Lakes was entrusted to the Botanic Garden. As yet the curator has tried there only sugar-cane and guinea grass, which have died straight off: the same stock similarly cultivated in the Botanic garden thriving; and nearly dead plants taken up from the Salt Lake land recovering immediately on being brought back to the garden. The natives say that in drained portions of the Soonderbuns no crop will grow till two or three rainy seasons have washed the salt out of the soil. I intend to make a direct experiment on the amount of salt now present. It is possible that the land might grow the king coconut.

Fruit Trees.

35. During the year I have obtained eighteen varieties of the most esteemed mangoes from Malda, three improved kinds of litchi (one almost stoneless)—and Dr. T. Anderson has forwarded some of the best sorts of pine-apple cultivated in English hothouses. The most thoughtless European does not fail to notice the apathy with which the Bengalee continues to cultivate inferior kinds of fruit, as if the quality of each produce was that which God is pleased to give it. Only strangers to Bengal will raise the objection that market-gardening is not the duty of a Botanic Garden, and that for Government to embark in it is unjust interference with private enterprise.

* * * * *

**Abstract of the Results of the Hourly Meteorological Observations taken
at the Surveyor-General's Office, Calcutta, in the month of
April 1870.**

LATITUDE 22° 33' 1" North, Longitude 88° 20' 34" East. Height of the Observed of the
Standard Barometer above the Sea Level, 18.11 feet.

MONTHLY RESULTS.

			Inches.
Mean height of the Barometer for the month	...	...	29.757
Max. height of the Barometer occurred at 10 A.M. on the 3rd	...	...	29.948
Min. height of the Barometer occurred at 5 P.M. on the 9th	...	...	29.568
Extreme range of the Barometer during the month	...	...	0.380
Mean of the daily Max. Pressures	...	...	29.832
Ditto ditto Min. ditto	...	...	29.678
Mean daily range of the Barometer during the month	...	...	0.154

			°
Mean Dry Bulb Thermometer for the month	...	...	84.1
Max. Temperature occurred at 4 P.M. on the 1st	...	...	98.6
Min. Temperature occurred at 6 A.M. on the 11th	...	...	67.7
Extreme range of the Temperature during the month	...	...	30.9
Mean of the daily Max. Temperature	...	...	94.5
Ditto ditto Min. ditto	...	...	76.1
Mean daily range of the Temperature during the month	...	...	18.4

Mean Wet Bulb Thermometer for the month	...	...	75.8
Mean Dry Bulb Thermometer above Mean Wet Bulb Thermometer	...	...	8.3
Computed Mean Dew-point for the month	...	...	70.0
Mean Dry Bulb Thermometer above computed mean Dew-point	...	...	14.1

Mean Elastic force of Vapour for the month	Inches. 0.727
--	-----	-----	------------------

Mean Weight of Vapour for the month	...	...	Troy grain. 7.78
Additional Weight of Vapour required for complete saturation	...	...	4.43
Mean degree of humidity for the month, complete saturation being unity	...	...	0.64

Mean Max. Solar Radiation Thermometer for the month	° 128.3
---	-----	-----	------------

Rained eleven days,—Max. fall of rain during 24 hours	...	...	Inches. 1.27
Total amount of rain during the month	...	...	4.03
Total amount of rain indicated by the gauge attached to the Anemometer during the month	...	...	3.38
Prevailing direction of the Wind	...	...	S & S S W

The 27th May 1870.

GÖPHERNAUTH SEN,
In charge of the Observatory.

Weekly Return of Traffic Receipts on Indian Railways.

EAST INDIAN RAILWAY MAIN LINE.

Approximate Return of Traffic for Week ended 8th May 1870 on 1,131½ miles open.

	COACHING TRAFFIC.				MERCHANDISE AND MINERAL TRAFFIC.				Total Traffic Receipts.
	Number of Passengers.	Coaching Receipts.			Weight carried.	Receipts.			
		Rs. As. P.	£ s. d.		Mds. Grs.	Rs. As. P.	£ s. d.		£ s. d.
Total Traffic for the week ...	1,01,848	1,37,850 10 7	18,634 0 8		7,24,896 0	4,24,939 8 5	58,884 10 8		51,589 0 8
Or per mile of Railway ...	121 13 6		11 3 4			375 9 3	84 8 6		46 11 10
For previous 17 weeks of half-year	19,58,126	24,39,300 4 2	3,15,269 3 11		120,00,757 10	70,99,151 3 5	9,40,839 17 1		8,65,104 1 0
Total for 18 weeks	20,59,974	25,77,130 14 9	3,27,903 13 8		1,38,24,653 10	75,14,109 11 10	9,99,795 7 9		10,14,697 1 2
COMPARISON.									
Total for corresponding week of previous year	69,775	1,17,018 0 9	10,726 13 1		6,28,171 30	3,72,360 3 6	54,133 15 1		44,800 8 2
Per mile of Railway corresponding week of previous year	.....	103 7 5	9 9 6		.....	329 3 3	30 3 5		30 13 1
Total to corresponding date of previous year	18,20,484	20,43,843 3 8	2,69,632 8 0		137,01,335 20	78,48,298 0 10	7,10,497 6 3		6,89,979 12 8

* Rs. 3,468 11-3 added on account of freight of locomotive coal carried on Jabulpore Line.

EAST INDIAN RAILWAY JUBBULPORE LINE.

Approximate Return of Traffic for Week ended 8th May 1870 on 223 miles open.

		Rs. As. P.	£ s. d.	Mds. Grs.	Rs. As. P.	£ s. d.	£ s. d.
Total Traffic for the week ...	5,875	9,424 8 6	833 13 4	24,034 20	12,597 13 8	1,136 9 4	2,000 7 8
Or per mile of Railway ...	.....	42 4 3	8 17 6	.....	55 9 6	5 1 11	8 19 8
For previous 17 weeks of half-year	87,205	2,94,018 5 0	27,086 10 0	7,77,917 20	2,15,238 14 8	10,780 4 5	46,738 14 8
Total for 18 weeks	90,980	3,04,040 14 2	27,970 6 4	8,11,952 0	2,27,636 12 5	20,860 14 0	48,737 3 4
COMPARISON.							
Total for corresponding week of previous year	2,787	6,460 9 5	608 14 0	32,126 20	11,055 0 5	1,013 7 6	1,532 1 11
Per mile of Railway corresponding week of previous year	.....	29 13 5	2 14 7	.....	49 9 2	4 10 11	7 5 6
Total to corresponding date of previous year	82,504	1,85,082 3 0	17,690 17 3	6,89,766 20	2,50,877 10 0	22,851 6 8	40,247 8 8

EASTERN BENGAL RAILWAY.

Approximate Return of Traffic for Week ended 7th May 1870 on 113½ miles open.

		Rs. As. P.	£ s. d.	Mds. Grs.	Rs. As. P.	£ s. d.	£ s. d.
Total Traffic for the week ...	24,606	13,118 5 8	1,292 10 6	1,03,565 24	10,592 11 8	1,357 13 4	2,760 4 6
Or per mile of Railway ...	217	115 13 5	10 13 4	914 0	120 0 3	13 15 1	24 7 5
For previous 17 weeks of half-year	4,63,032	2,97,660 10 8	26,343 9 5	18,67,048 35	2,80,141 3 11	28,004 13 4	82,867 1 9
Total for 18 weeks	4,89,638	3,00,778 3 9	27,635 0 1	19,65,514 20	2,06,133 13 8	29,362 5 2	85,627 5 0
COMPARISON.							
Total for corresponding week of previous year	26,151	13,108 0 13	1,294 14 0	82,140 28	17,403 14 3	1,495 10 0	2,900 8 9
Per mile of Railway corresponding week of previous year	229	115 6 8	12 4 7	720 0	153 11 1	14 1 9	26 8 4
Total to corresponding date of previous year	4,64,934	2,95,896 2 9	26,940 7 10	19,74,826 4	2,56,997 1 4	23,784 14 6	80,808 3 6

CALCUTTA AND SOUTH-EASTERN STATE RAILWAY.

Approximate Return of Traffic for Week ended 7th May 1870 on 28 miles open.

		Rs. As. P.	£ s. d.	Mds. Grs.	Rs. As. P.	£ s. d.	£ s. d.
Total Traffic for the week ...	6,514	2,038 4 6	163 12 7	8,412 0	411 4 0	41 3 8	144 15 8
Or per mile of Railway ...	197	87 0 3	3 14 0	304 0	14 11 1	1 9 5	5 3 6
For previous 5 weeks of half-year	22,403	4,144 1 6	414 5 1	54,151 30	1,914 11 6	191 9 5	600 17 6
Total for 6 weeks	28,917	5,182 5 6	514 0 8	62,563 30	2,325 1 0	232 12 1	740 12 9
COMPARISON.							
Total for corresponding week of previous year	4,945	944 13 4	30 13 1	14,038 0	453 3 6	41 14 7	126 6 6
Per mile of Railway corresponding week of previous year	177	33 11 10	3 1 10	503 0	16 4 2	1 9 10	4 11 8
Total to corresponding date of previous year	27,248	5,307 11 4	484 10 10	79,446 35	5,521 4 4	670 12 0	980 3 6

EAST INDIAN RAILWAY MAIN LINE.

Approximate Return of Traffic for Week ended 15th May 1870 on 1,131½ miles open.

	COACHING TRAFFIC.			MERCHANDISE AND MINERAL TRAFFIC.			Total Traffic Receipts.
	Number of Passengers.	Coaching Receipts.		Weight carried.	Receipts.		
		Rs. As. P.	£ s. d.	Mds. Strs.	Rs. As. P.	£ s. d.	£ s. d.
Total Traffic for the week ...	92,381	1,15,009 3 2	10,805 18 4	4,30,880 10	4,14,794 4 2	38,029 3 6	48,838 16 10
Or per mile of Railway ...		102 4 0	9 7 6		366 9 6	33 12 1	43 19 7
For previous 19 weeks of half-year	20,60,470	25,77,100 14 9	3,27,000 13 6	189,21,008 10	72,14,100 11 10	6,98,709 7 0	16,10,807 1 2
Total for 19 weeks	21,51,851	36,92,820 1 11	5,34,505 6 9	140,55,322 20	79,29,908 0 0	7,20,816 11 5	10,05,825 18 0
COMPARISON.							
Total for corresponding week of previous year ...	86,030	1,00,900 6 3	9,772 5 4	6,03,097 10	4,01,937 14 0	38,235 9 0	48,967 8 1
Per mile of Railway corresponding week of previous year ...		94 4 3	8 13 10		355 4 8	33 11 4	41 4 2
Total to corresponding date of previous year ...	19,16,119	30,50,440 12 11	3,70,824 11 4	144,54,483 20	82,40,135 14 10	7,54,263 9 0	10,85,887 0 4

EAST INDIAN RAILWAY JUBBULPORE LINE.

Approximate Return of Traffic for Week ended 15th May 1870 on 223 miles open.

		Rs. As. P.	£ s. d.	Mds. Strs.	Rs. As. P.	£ s. d.	£ s. d.
Total Traffic for the week ...	8,718	10,007 5 3	917 0 9	35,231 10	13,119 12 3	1,202 11 1	2,710 17 10
Or per mile of Railway ...		44 14 0	4 2 3		59 12 3	5 7 10	0 10 1
For previous 19 weeks of half-year	90,880	3,04,690 14 2	27,870 8 4	8,11,853 0	2,27,038 12 3	20,806 14 0	48,737 2 4
Total for 19 weeks	94,598	3,14,698 3 5	28,787 10 1	8,47,383 10	2,40,785 8 6	22,008 5 1	50,857 0 2
COMPARISON.							
Total for corresponding week of previous year ...	2,601	3,898 5 1	330 1 11	28,009 4	11,008 4 4	1,014 11 10	1,588 18 0
Per mile of Railway corresponding week of previous year ...		27 13 5	2 11 0		49 10 2	4 11 3	7 2 0
Total to corresponding date of previous year ...	65,082	1,94,890 7 7	17,864 10 2	6,97,768 20	2,81,440 8 4	26,005 18 0	41,936 17 2

EASTERN BENGAL RAILWAY.

Approximate Return of Traffic for Week ended 14th May 1870 on 113½ miles open.

		Rs. As. P.	£ s. d.	Mds. Strs.	Rs. As. P.	£ s. d.	£ s. d.
Total Traffic for the week ...	25,182	12,877 4 0	1,180 8 4	1,23,087 15	21,419 2 10	1,908 1 8	3,140 10 6
Or per mile of Railway ...		113 11 4	10 8 6	1,105 0	189 0 0	17 7 2	27 13 8
For previous 19 weeks of half-year	6,58,230	5,00,700 2 0	27,603 0 1	10,65,014 20	3,00,133 15 0	28,002 5 8	83,627 6 8
Total for 19 weeks	5,13,412	3,13,580 8 9	28,745 8 5	20,90,802 4	5,27,592 2 7	30,028 7 4	83,773 15 9
COMPARISON.							
Total for corresponding week of previous year ...	22,747	12,440 3 5	1,140 7 1	80,408 27	11,260 14 7	1,008 5 0	2,235 12 1
Per mile of Railway corresponding week of previous year ...		109 13 0	10 1 5	699 0	105 12 3	9 13 11	19 15 4
Total to corresponding date of previous year ...	6,87,993	3,06,335 6 3	28,080 14 11	20,35,204 32	5,08,877 15 11	33,822 10 8	81,903 16 7

CALCUTTA AND SOUTH-EASTERN STATE RAILWAY.

Approximate Return of Traffic for Week ended 14th May 1870 on 28 miles open.

		Rs. As. P.	£ s. d.	Mds. Strs.	Rs. As. P.	£ s. d.	£ s. d.
Total Traffic for the week ...	8,924	1,041 8 0	104 8 0	10,359 10	850 5 3	55 0 3	139 5 5
Or per mile of Railway ...		37 3 2	8 14 5	377 0	30 4 1	1 5 0	4 14 5
For previous 6 weeks of half-year	27,877	3,190 8 0	318 0 8	69,192 30	2,540 1 0	232 12 1	780 13 8
Total for 7 weeks	33,801	4,231 13 8	422 8 8	79,552 0	3,390 6 3	287 12 4	899 19 3
COMPARISON.							
Total for corresponding week of previous year ...	4,530	544 11 2	55 15 7	14,480 10	428 9 9	30 5 10	134 10 5
Per mile of Railway corresponding week of previous year ...		19 4 1	2 1 3	518 0	15 4 11	1 6 1	4 9 3
Total to corresponding date of previous year ...	32,071	3,243 7 6	372 4 5	65,945 8	2,960 14 1	318 18 4	1,091 2 9

Meteorological Telegraphic Report for the period 21st to 27th May 1870.

Station.	Date.	Hour.	Barometer reduced to sea level.	Thermometer.	Humidity.	Wind.	Rain.	Weather.	Clouds.
				Dry.	Wet.	Direction.	Velocity.		
Calcutta.									
21st	10	29.643	29.661	80.8	83.4	71	SSW	...	Scuds from SSW.
18	16	29.633	29.611	80.8	83.4	66	S by W	...	K
22nd	10	29.674	29.694	80.2	83.6	71	N	...	K & scuds from S.
16	16	29.699	29.617	81.0	82.0	67	S	...	Scuds from S.
23rd	10	29.781	29.782	87.6	81.0	74	E	...	UK
16	16	29.661	29.678	81.7	87.0	60	SSW	...	K
24th	10	29.741	29.761	82.4	82.4	74	SSW	...	K
16	16	29.626	29.643	81.0	82.6	61	S	...	K
25th	10	29.764	29.782	82.8	82.0	60	SSW	...	CK
16	16	29.680	29.699	83.3	83.6	61	SSW	...	S
26th	10	29.713	29.711	81.0	82.0	68	SSW	...	K
16	16	29.653	29.671	82.8	79.3	73	ESE	...	K
27th	10	29.673	29.696	80.0	83.0	73	SW	...	K
16	16	29.630	29.607	83.0	78.0	71	E by S	...	K
Baran Island.									
21st	10	29.680	29.673	80	85	81	SW	3	...
16	16	29.652	29.658	80	85	80	SW	3	...
22nd	10	29.607	29.613	80	81	78	SW	3	...
16	16	29.682	29.684	80	81	78	SW	3	...
23rd	10	29.693	29.690	80	81	80	SW	3	...
16	16	29.770	29.795	80	81	80	W	3	...
24th	10	29.783	29.780	80	84	78	WNW	3	...
16	16	29.652	29.669	81	84	78	SW	3	...
25th	10	29.777	29.781	80	84	80	WNW	3	...
16	16	29.651	29.653	80	84	78	SW	3	...
26th	10	29.785	29.711	80	84	80	WNW	3	...
16	16	29.684	29.681	80	84	80	SSW	3	...
27th	10	29.680	29.703	80	84	84	WNW	3	...
16	16	29.607	29.690	80	84	83	S	1	...
Cuttack.									
21st	10	29.718	29.687	87	79	89	SSW	8.7	...
16	16	29.695	29.715	85	78	84	N	10.1	...
22nd	10	29.745	29.745	79	74	77	NNE	0.8	...
16	16	29.750	29.750	80	79	80	SE	0.1	...
23rd	10	29.770	29.681	80	81	66	SW	...	...
16	16	29.771	29.771	81	81	63	SW	18.0	...
24th	10	29.782	29.782	80	81	71	S	6.2	...
16	16	29.691	29.691	82	83	47	W	13.0	...
25th	10	29.782	29.782	80	82	60	SSW	...	...
16	16	29.681	29.681	80	80	60	WNW	13.0	...
26th	10	29.782	29.782	78	77	85	SE	5.2	...
16	16	29.681	29.681	85	80	78	S	6.0	...
27th	10	29.714	29.714	85	80	78	SE	6.0	...
16	16	29.691	29.714	84	78	76	SW	11.0	...
Madras.									
21st	10	29.747	29.777	83	80	64	SE by E	11.0	...
16	16	29.681	29.681	80	81	60	SE by S	...	...
22nd	10	29.731	29.761	80	77	33	SW	9.0	...
16	16	29.681	29.681	81	77	48	SE by S	16.0	...
23rd	10	29.781	29.781	80	80	63	SE	18.0	...
16	16	29.741	29.672	80	80	61	SE by S	16.0	...
24th	10	29.771	29.771	83	78	48	S	16.0	...
16	16	29.690	29.690	84	80	60	SE	16.0	...
25th	10	29.747	29.747	81	78	63	SE	16.0	...
16	16	29.656	29.680	86	78	62	SE by S	17.0	...
26th	10	29.688	29.688	91	78	63	SSW	16.0	...
16	16	29.670	29.700	90	77	63	SE	1.0	...
27th	10	29.744	29.684	97	79	42	SW	16.0	...
16	16	29.634	29.694	89	80	68	SE	17.0	...
Cornwall.									
21st	10	29.601	29.602	88	81	61	S	10.7	...
16	16	29.451	29.637	100	83	60	SE by E	28.0	...
22nd	10	29.614	29.615	95	84	61	SW	27.0	...
16	16	29.471	29.612	80	84	64	S	31.0	...
23rd	10	29.608	29.772	91	84	23	S by W	25.0	...
16	16	29.511	29.673	92	83	63	S by E	23.0	...
24th	10	29.610	29.787	91	82	61	S	18.0	...
16	16	29.670	29.680	94	82	56	S	18.0	...
25th	10	29.708	29.700	91	81	60	S	19.0	...
16	16	29.690	29.721	94	80	64	S by W	18.0	...
26th	10	29.720	29.807	93	81	67	S	19.0	...
16	16	29.634	29.615	97	83	63	S by E	21.0	...
27th	10	29.639	29.730	91	86	77	S	26.0	...
16	16	29.471	29.632	98	84	64	S by E	20.0	...
Assam.									
21st	10	29.762	29.777	80	76	78	SSW	1	...
16	16	29.702	29.717	84	79	79	NW	1	...
22nd	10	29.684	29.648	79	76	80	Calm	...	...
16	16	29.742	29.767	84	80	83	Calm	...	...
23rd	10	29.640	29.653	84	80	83	SSW	1	...
16	16	29.660	29.771	80	81	84	Calm	...	...
24th	10	29.626	29.640	86	82	83	Calm	...	...
16	16	29.781	29.740	87	83	80	Calm	...	...
25th	10	29.816	29.830	80	83	83	Calm	...	...
16	16	29.700	29.715	89	83	80	W by W	1	...
26th	10	29.835	29.850	80	82	80	WNW	2	...
16	16	29.711	29.720	88	84	83	WNW	2	...
27th	10	29.640	29.634	81	79	88	Calm	1.40	...
16	16	29.744	29.768	88	79	83	NNW	1	...

Velocity of wind in miles per hour.

CALCUTTA,
The 28th day 1870.HENRY F. BLANFORD,
Meteorological Reporter to the Govt. of Bengal.

Weekly Report of Rainfall compiled at the Meteorological Reporter's Office.

Circut.	STATIONS.	Rainfall from 1st May 1870.	Rainfall from 16th to 22nd May 1870.	RAIN FROM 1st JANUARY 1870.		REMARKS.
				Rain.	Up to date.	
SOUTH-WESTERN.	Pooros	Nil	Not received	0.21	18th May 1870.	
	False Point	Not received	ditto	1.40	8th May 1870.	
	Cuttack { Telegraph Office	Nil	Nil	2.80	22nd May 1870.	
	Cuttack { Jail	ditto	Not received	3.17	16th May 1870.	
	Bambulpore	ditto	ditto	4.80	ditto	Not received 7th to 13th March, 11th to 17th April, and 25th April to 1st May.
	Belasore	ditto	0.20	4.82	22nd May 1870.	
	Midnapore	Nil	1.00	2.70	22nd May 1870.	
	Hangorah	ditto	1.10	2.75	ditto.	
	Chyabansa	0.08	0.10	2.57	ditto.	
	Purulia	Nil	0.54	3.06	ditto.	
WESTERN.	Burwan	ditto	Nil	3.29	ditto.	
	Ballasore	ditto	1.41	3.69	ditto	Not received 2nd to 8th May.
	Ballasore	ditto	Nil	0.66	ditto	Not received 1st to 3rd April.
	Source	ditto	1.15	2.48	ditto.	
	Deoghur	ditto	Nil	1.50	ditto	Not received 3rd to 16th Jan. and 7th Feb. to 6th March.
	Burhee	ditto	ditto	1.03	ditto	Not received 1st Jan. to 20th March.
	Harareebagh	ditto	ditto	0.65	ditto	Not received 1st Jan. to 27th March.
	Ranchies	ditto	0.10	0.60	ditto	
	Basseram	ditto	Nil	2.00	22nd May 1870.	
	Bangor Island	Not received	Not received	0.85	10th April 1870.	
CENTRAL.	Contai	Nil	0.92	5.75	22nd May 1870.	
	Calcutta	ditto	1.43	5.80	ditto.	
	Howrah	ditto	2.92	7.93	ditto.	
	Hooghly { Jail	Not received	Not received	...	...
	Hooghly { College	Nil	0.81	8.80	22nd May 1870.	
	Jessore	ditto	1.43	3.71	ditto	Not received 1st to 16th Jan. and 4th to 10th April.
	Kishnagur	ditto	0.72	1.57	ditto	Not received 1st Jan. to 6th Feb. and 4th to 10th April.
	Ranaghat	ditto	1.40	3.11	ditto	Not received 1st to 9th Jan. and 4th to 10th April.
	Bongong	ditto	Not received	1.02	15th May 1870.	Not received 1st Jan. to 6th Feb. and 4th to 10th April.
	Alaharpore	ditto	1.10	2.70	22nd May 1870.	Not received 1st Jan. to 6th Feb. and 4th to 10th April.
NORTH-WESTERN.	Chondangah	ditto	0.20	3.23	ditto.	
	Koochda	ditto	0.61	1.92	ditto.	
	Berhampore	ditto	2.90	8.60	ditto.	
	Furteepore	ditto	2.51	0.71	ditto.	
	Bufrail	Nil	0.05	0.05	22nd May 1870.	
	Chaugachura	ditto	0.92	0.92	ditto	Not received 1st Jan. to 1st May.
	Mudhey poorah	ditto	Nil	1.01	ditto	Not received 1st Jan. to 24th April.
	Monghyr	ditto	ditto	0.07	ditto	Not received 1st to 10th Jan. and 11th to 1st April.
	Jamoolis	ditto	0.42	1.51	ditto	Not received 1st Jan. to 30th March.
	Gya	ditto	Nil	0.43	ditto	Not received 1st January to 16th May.
NORTHERN.	Behar	ditto	Nil	0.43	ditto	
	Patna	ditto	0.04	0.90	ditto	
	Bach	Not received	Nil	Nil	ditto	
	Arrah	Nil	ditto	2.00	ditto.	
	Patna	ditto	ditto	1.37	ditto.	
	Patna	ditto	0.20	0.90	ditto	Not received 1st Jan. to 1st May.
	Patna	ditto	0.07	0.07	15th May 1870.	Not received 3rd to 16th Jan.
	Patna	ditto	Not received	1.50	ditto.	
	Patna	ditto	1.40	0.51	22nd May 1870.	Not received 1st Jan. to 24th Feb.
	Patna	ditto	0.41	0.98	ditto	Not received 1st Jan. to 13th Feb.
NORTH-EASTERN.	Patna	ditto	0.98	1.73	22nd May 1870.	
	Patna	ditto	2.60	2.60	ditto	Not received 1st Jan. to 1st May.
	Patna	ditto	1.75	8.23	ditto	
	Patna	ditto	0.13	0.24	ditto	
	Patna	Not received	2.11	9.11	ditto	Not received 1st Jan. to 16th May.
	Patna	Nil	0.23	1.18	1st May 1870.	Not received 1st to 9th Jan.
	Patna	Not received	Not received	3.11	22nd May 1870.	Not received 14th to 24th Feb.
	Patna	Nil	0.18	4.48	ditto	Not received 14th to 23rd Jan., 21st to 27th Feb., and 7th March to 3rd April.
	Patna	ditto	0.40	0.40	30th April 1870.	
	Patna	Not received	Not received	10.90	ditto	
SOUTH-EASTERN.	Patna	ditto	ditto	12.43	22nd May 1870.	
	Patna	1.72	1.47	13.56	15th May 1870.	
	Patna	1.92	Not received	6.19	ditto.	
	Patna	0.50	ditto	8.70	ditto.	
	Patna	0.51	ditto	8.38	ditto.	
	Patna	Not received	ditto	8.40	30th April 1870.	
	Patna	2.00	ditto	8.10	16th May 1870.	Not received 2nd to 8th May.
	Patna	8.70	ditto	14.00	ditto.	
	Patna	0.56	ditto	12.04	ditto.	
	Patna	0.90	ditto	14.60	ditto	Not received 1st and 2nd Jan.
SOUTH-EASTERN.	Patna	1.40	ditto	8.00	15th May 1870.	Not received 10th to 16th Jan. and 6th to 20th Feb.
	Patna	Nil	Not received	3.03	22nd May 1870.	Not received 3rd to 8th Jan. and 28th March to 17th April.
	Patna	ditto	2.30	4.37	18th May 1870.	Not received 25th April to 1st May.
	Patna	ditto	Not received	6.45	ditto	
	Patna	Not received	ditto	...	8th May 1870.	
	Patna	ditto	ditto	0.98	16th May 1870.	
	Patna	0.16	ditto	8.07	22nd May 1870.	
	Patna	0.08	ditto	7.60	ditto	Not received 14th to 20th March.
	Patna	Nil	1.90	5.00	ditto	
	Patna	ditto	0.60	10.50	ditto	
SOUTH-EASTERN.	Patna	ditto	1.63	6.75	8th May 1870.	
	Patna	Not received	Not received	48.40	22nd May 1870.	
	Patna	1.80	1.40	12.10	ditto	

CALCUTTA,
The 23rd May 1870.

HENRY F. BLANFORD,
Meteorological Reporter to the Government of Bengal.



SUPPLEMENT TO The Calcutta Gazette.

WEDNESDAY, JUNE 8, 1870.

OFFICIAL PAPERS.

Non-Subscribers to the GAZETTE may receive the SUPPLEMENT, separately, on payment of six Rupees per annum if delivered in Calcutta, or twelve Rupees if sent by Post.

Proceedings of the Council of the Lieutenant-Governor of Bengal for the purpose of making Laws and Regulations.

Saturday, the 28th May 1870.

Present:

HIS HONOR THE LIEUTENANT-GOVERNOR OF BENGAL, *presiding.*

J. GRAHAM, Esq., *Acting Advocate-General,*
THE HON'BLE ASHLEY EDEN,
A. MONK, Esq., C.B.,
A. B. THOMPSON, Esq.,
V. H. SCHALCH, Esq.,

BABOO ISSUR CHUNDER GHOSAL,
BABOO CHUNDER MOHUN CHATTERJEE,
F. F. WYMAN, Esq.,
AND
BABOO JOTEENDRO MOHUN TAGORE.

VILLAGE CHOWKEEDARS.

ON the motion of MR. THOMPSON the council proceeded to the further consideration of the report of the select committee on the Bill to provide for the appointment, dismissal, and maintenance of village chowkeedars.

The postponed section 1 was the interpretation clause.

After some verbal amendments, the definitions of the words "village" and "chowkeedar" were, on the motion of MR. THOMPSON, omitted as unnecessary.

MR. THOMPSON then moved the substitution of the following definition of "chowkeedaree chakran lands" for that contained in the Bill:—

"The words 'chowkeedaree chakran lands' shall mean lands which may have been assigned, otherwise than under a temporary settlement, for the maintenance of the officer who may have been bound to keep watch in any village and report crime to the police, and in respect to which such officer may have been liable to render service to a zemindar."

He said that the definition of this term had given some trouble to prepare, and, as he had explained on a former occasion, a more enlarged definition than that contained in the Bill was found necessary. He had stated that he found that the term "chowkeedaree chakran lands" was applicable to lands assigned for the support of the village policeman, by which assignment both the Government and the zemindar had some kind of right in the services of the chowkeedar; and generally, that that definition would apply to all chowkeedaree chakran lands in the western districts. But, as he had on a former occasion explained, there were some districts, especially Midnapore, where lands were assigned for the maintenance of the village police, but where the zemindar was not entitled to any service from the chowkeedar; and in such cases it would be perfectly unnecessary to make over the land or to remit any part of the assessment on those lands. Again, it was well ascertained, as the honorable member opposite (Mr. Schalch) could certify, that in the temporary settlements made in Orissa lands surrendered for purposes of police were exempted from assessment, and that in such cases the proprietors were not entitled to any compensation for the surrender of such land. The definition now submitted for the consideration of the council had been drawn up after careful consideration of all these points.

BABOO JOTENDRO MOHUN TAGORE said that, before the motion was put to the vote, he would suggest that the definition should be made more explicit as regards the limitation of time within which the liability to service may have existed. It was well known that in many districts zemindars had been deprived, by the arbitrary acts of magistrates, of the services to which they were entitled from the village chowkeedar. Exercising powers, in the double capacity of police superintendent and magistrate, these officers not only encroached upon the rights of the zemindars to nominate and dismiss the chowkeedars, but issued orders to the darogahs to prohibit the village watchmen from rendering services to the landholders, and in some cases they even went so far as to punish with fine or imprisonment those zemindars or their agents who employed the chakran-holders in the performance of *mal* duties. It was useless for the zemindars to contend against these proceedings, for their complaint lay to the very officer who had exercised such arbitrary powers. Many indeed had under the circumstances quietly submitted to the wrong, but he would ask whether it was just that the present owners of land should be deprived of their rights because the zemindars of that time did not think it prudent to dispute the matter with the constituted authorities. He thought that no lapse of time should bar such equitable rights of a person, when it was ascertained that he had been unjustly deprived of them by the illegal proceedings of the district officers. He would therefore move the insertion of the words "at any time" before "liable."

MR. SCHALOW said that he could not express his concurrence in the amendment, because it would have an extremely one-sided effect. As the wording of the proposed definition stood, if the zemindar could prove that he now received or had within any reasonable time received service from the chowkeedar, the commissioners would take that into consideration; but if the words "at any time" were inserted, the zemindar might attempt to make out that services were rendered at a period long anterior to the permanent settlement, and that would make the provision a one-sided one; because, though many zemindars had throughout the western districts very largely appropriated lands assigned for the maintenance of chowkeedars, the Bill did not propose that that question should be investigated. The Bill proceeded on the existing state of things; it did not propose to revive old contentions. He thought therefore that the definition should not be left so indefinite as the words proposed to be added would make it.

BABOO JOTENDRO MOHUN TAGORE said that he would have no objection to add to his amendment the words "after the permanent settlement." But if the state of things as they at present existed were only taken into consideration, zemindars who had been arbitrarily deprived by the magistrate of the services to which they are entitled from the village chowkeedar, would not only lose their right to those services, but to the chakran lands as well, and that for no fault of their own.

MR. WYMAN said he understood that the Bill proposed to deal with the present state of things, and not to go back to some remote period in order to rectify abuses that had then occurred. The definition now proposed was a great improvement. He was not present at the meeting when it was proposed to make over to the zemindar the whole of the chowkeedars' chakran land and assess the zemindar at only one-half of its value; and, till this morning, he had not fully understood why the zemindar should have the whole of the land and be assessed at only one-half of its value. He now understood that the zemindar was entitled to certain services from the chowkeedar, and in consideration of his giving up his right to those services, he would receive as an equivalent the whole of the land, and be assessed at only one-half of its value. But to go back for the purpose of ascertaining whether at some remote period the zemindar was entitled to those services appeared to him (Mr. Wyman) open to very serious objection, as raising questions already settled, and to arrive at a satisfactory solution of which it would now be impossible. He would therefore oppose the amendment.

BABOO ISSUR CHUNDER GHOSAL said that he thought the amendment proposed was a fair and just one, because, if by any chance or by an order of the magistrate the zemindar has been deprived of the services of the chowkeedar, he ought to be permitted to show his right to those services. It would be very hard if a zemindar was not allowed to prove his right to services of which he had been arbitrarily deprived. Of course, as originally proposed, the amendment was open to the objection that it was indefinite; but if, as the amendment now stood, the period within which the liability to service existed was restricted to a time *after* the date of the permanent settlement, he thought no reasonable objection could be raised to the proposition.

MR. THOMPSON said, the council would remember that when the Chota Nagpore Tenures Act was under discussion, great difficulty was experienced in settling those points which referred to the periods of limitation within which parties claimed the personal services of their tenants. In the present case the remedy was suggested of extending the period to the date of the permanent settlement, a proposition which he considered altogether preposterous. He would ask the hon'ble mover of the amendment whether, if a zemindar went to a civil court and claimed compensation for the loss of such services, he would get any compensation for services which he had not enjoyed within the last 12 years. If any limitation was to be imposed, he (Mr. Thompson) thought it should be a limitation of 12 years, which was the general period of limitation in cases of this nature. He would however go further and take the hon'ble mover of the amendment on his own ground. It has been generally asserted, and by none more confidently than by the hon'ble member opposite (Baboo Issur Chunder Ghosal), that the zemindars have been in the habit of resuming these chow-

chowkeedaree lands and appropriating them to their own use. He (Mr. Thompson) was willing to say that if the zemindars were prepared to surrender the lands which they had thus appropriated, he would have no objection to meet them half way, and allow them to prove their right to services which they did not enjoy when the Bill came into operation; but if the advantage was to be all on one side, and the zemindar alone was to be allowed to prove his right to services which he had not received for the last 20, 30, or 50 years, he (Mr. Thompson) would most decidedly object to any proposal such as that which was now before the council. He would prefer that the definition should stand as proposed, or at the furthest, that a limitation of 12 years be fixed.

BABOO ISSER CHUNDER GHOSAL said that the principle contended for by the hon'ble member in charge of the Bill appeared to be that because the zemindars have done some wrong, the Government ought to do something similar to recoup themselves for the loss sustained: if the zemindar has taken land that belonged to the chowkeedar, it was not right for the Government to treat the zemindars in an equally arbitrary and illegal manner. The suggestion made by the honorable mover of the amendment appeared to be just and fair.

BABOO JOTEENDRO MOHUN TAGORE said he would read to the council a *roobokaree* which was issued by a magistrate in the year 1855, and which would show the arbitrary way in which the zemindars were forced out of their just rights:—

“No. 1788.
17th December 1855.
3rd Pous 1262.

Roobokarry of H. B. Lawford, officiating magistrate of the Fouzdary Court of zillah East Burdwan. Camp Gangooria.

In conformity with the circular letter No. 8, dated the 8th December, of the circuit commissioner, Burdwan division, by which chowkeedars are prohibited from serving the zemindars, it is

Ordered

That perwannahs be issued to the darogahs to prohibit the chowkeedars in their jurisdiction from performing any services to the zemindars.”

MR. THOMPSON said he believed the hon'ble member was well aware that that order was set aside by the decision of the privy council to which he (Mr. Thompson) had referred at a former meeting, and in which it was held that a zemindar in the Burdwan or Hooghly district was entitled to certain kinds of service from the chowkeedar. The order which the hon'ble member had read was perfectly obsolete.

BABOO JOTEENDRO MOHUN TAGORE said that he only referred to the order as an instance. There were hundreds of similar cases which occurred before 1855, but in which no action had been taken.

The amendment was then negatived.

The original motion having been proposed—

BABOO JOTEENDRO MOHUN TAGORE asked what would become of those chowkeedaree lands in respect of which the zemindar got no service.

MR. THOMPSON explained that if at the time of the passing of this Act a chowkeedar rendered service to the zemindar, the commission appointed by Government to investigate these cases would be justified in admitting the land assigned for the support of such chowkeedar to come within the definition of chowkeedaree chakran land and to be transferred to the zemindar; but if no service was rendered to the zemindar, the land would not be held to be of that description.

BABOO JOTEENDRO MOHUN TAGORE said he thought that lands for which chowkeedars paid a quit-rent should be held to come within the definition of chowkeedaree chakran land.

MR. SCHALCH said that he did not think that the paying of quit-rent had anything to do with the question of the compensation to be allowed for loss of services. Where the zemindar was entitled to the services of the chowkeedar along with a quit-rent, the land would be transferred to the zemindar under the provisions of this Bill. But where the zemindar only received a quit-rent the land for which such quit-rent was paid would not fall within the provisions of this Bill; the zemindar would continue to receive the quit-rent, and would be in no worse position than that in which he was before.

BABOO JOTEENDRO MOHUN TAGORE said that in that case the advantage would be all on the side of the chowkeedar, who would merely pay a quit-rent, and enjoy the profits of the land without rendering any services either to the zemindar or the village community.

The motion was then carried.

On the motion of MR. THOMPSON the following definition of the word “zemindar” was introduced after the above:—

“The word ‘zemindar’ shall mean the person whose name is registered in the general register of estates paying revenue directly to Government as the proprietor of an estate so paying revenue, or the person whose name is registered in the general register of rent-free tenures as proprietor of a rent-free tenure.”

The section as amended was then agreed to.

The postponed section 2 was also agreed to.

MR. MONY moved the addition to section 3 of the following words:—

“Provided also that no punchayet shall be appointed in any village until some officer exercising any of the powers of a magistrate shall, in personal communication with the residents of that village, have explained to them the general duties of a punchayet and ascertained from them the names of the leading men in the village.”

He thought some provision of the kind contemplated by the amendment would be required for the successful working of the Bill. In the remarks he had formerly made on section 48, he expressed a wish that one of the members of the punchayet should always be a man elected by the villagers as the headman of the village. There were, however, some difficulties connected with the introduction of such a provision, and though he still thought the Act would work better, and with a fairer chance of success if the chief member of the punchayet was always the representative of the villagers, yet he confessed that such a provision was not necessarily connected with the purport of this Bill, and that its introduction at the present stage of the Bill might lead to some complication. He (Mr. Money) had therefore given up that point, but while doing so he was more convinced than ever of the necessity of personal communication with and explanation to the residents of every village in which the new provisions of this Bill are to be introduced. As the Bill stood, all that was provided was that the magistrate may appoint a punchayet; how was he to select? This point was not referred to. The *modus operandi* would vary with the idiosyncracies and prejudices of each officer. There were only three practicable modes of making the selection. The first was by applying to the police; the second, by applying to the zemindar; the third, by ascertaining the feelings and wishes of the people as to the men who should be appointed. The first two modes were no doubt the simplest and least troublesome and therefore the most likely to be adopted. A magistrate who distrusted the police would apply to the zemindar, a magistrate who disbelieved in zemindars would ask the opinion of the inspector of police; having availed himself of one of these two sources of information the magistrate would issue three or five sunuds. But it did not follow that the persons to whom sunuds would be issued would be acceptable to the people, or that they would even be the persons possessing the greatest influence with the villagers or the most respectable persons in the village. If they are not, it is clear that the successful working of the Act will be much jeopardized. He (Mr. Money) thought that it was most important that before the introduction of the Act into any village the villagers should know exactly the object and purport of the law. If some such amendment as that which he now proposed were not adopted, the first intimation which the villagers would receive of the proposed introduction of the Act might be the arrival in the village of the sunuds of appointment of the members of the punchayet. He could conceive the state of bewilderment into which a village would thus be thrown. Possibly some explanatory order or perwannah might accompany the sunuds, but even if such were the case, the punchayet could not introduce the operation of the Act so satisfactorily as if its provisions had been personally explained to them by competent authority. It must be remembered that all the ryots in the districts of Bengal were not like those marvellous ryots of Burdwan and Hooghly who had come up to the council with memorials showing a knowledge of the laws of Menu and Akbar and of the old regulations, superior probably to that possessed by any member of this council. He (Mr. Money) thought therefore that it was a matter of very great importance that the provisions of the law should in every case be clearly explained to the villagers.

He might be told, and probably would, that the object he had in view would be provided for satisfactorily by rules to be issued under section 88. He had no doubt that whatever rules will be passed by the Government will be judicious rules; but it appeared to him that it was a dereliction of duty on the part of any legislative body to trust to the executive Government for rules on any point which they considered really necessary to the satisfactory working of any measure which they may pass. It is the duty of the council to make their laws as complete as they can, and not to leave them to be supplemented and licked into shape by subsequent rules to be framed and issued by the executive Government. If the council agreed with him that the successful working of this Bill will depend on the extent to which the villagers are consulted as to the men to be appointed to the punchayet, and on the extent to which the object and purport of the Bill are explained to the village communities, then he hoped they would consider that this amendment or some similar amendment was necessary. The council would observe that the amendment was so worded as to leave to the magistrate exactly the same power of nomination as was already given him. He (Mr. Money) had no wish to tie down the hands of the magistrate to the nomination of any particular persons. All that he wished was that before the Bill came into operation the villagers should have their say as to the people whom they would recommend as members of the punchayet, and that the general duties of the punchayet should be explained to them. If this were done, he felt sure that in ninety-nine cases out of one hundred the people whom the villagers wished to be appointed would be appointed, and the successful working of the law would so far be secured.

BABOO ISSUR CHUNDER GHOSAL said that he would support this amendment with great pleasure, because when the Bill was before the police committee he had occasion to bring this point to notice, when he and another member of the committee were overruled. He thought the amendment would do a great deal of good, because personal communication with the villagers would be the means of facilitating the introduction of the Bill.

MR. WYMAN said he had also heard the amendment with great pleasure, because he thought the successful working of this Bill would depend entirely on the ability to carry with us the sympathies of the people. The villagers would be the most likely persons to know not only who were best qualified to act as members of the punchayet, but also who were the most likely to carry with them the sympathies and respect of the villagers themselves. He (Mr. Wyman) also thought it would be very desirable that the magistrate should explain

to the villagers that the purport of the Act was not oppressive, but calculated for the benefit of the people and for their own protection. He thought that the amendment was calculated to do a vast deal of good.

Mr. THOMPSON said he fully recognised the force of the observations made by the hon'ble mover of the amendment as to the advisability of exercising the greatest care in the introduction of this Bill. In framing the Bill as it is, a chief object was that the great mass of details relating to the duties and procedure of punchayets should be provided for by rules to be framed and issued by the executive Government. Personally his own view was that it would be very much better that the manner of appointing punchayets should be provided for by rules which the Lieutenant-Governor was empowered to issue, and he had no hesitation in saying, from the interest which Government took in this measure, that every endeavour would be made by the Lieutenant-Governor to enforce very strictly the greatest care in the selection and nomination of those who were to be punchayets of villages.

The objection which he took to the amendment in the form in which it was presented was the almost impossibility of carrying out the law if it became obligatory on every magistrate to hold personal communication with the residents of every village, and to ascertain from them the names of the leading men of the village before any appointments could be made. If the council came to consider that in a sub-division there are at least 800 villages, and that in at least one-half of these villages the Bill would have to be introduced, the adoption of the amendment would necessitate the appointment of a special officer in each sub-division (which would be expensive as well as a source of delay) to go round to the villages in order to hold the required communication; or if the work was done by the sub-divisional officer himself, would interfere greatly with his regular duties and make it impossible that the Act could be carried out in any one sub-division before the expiration of two or three years. If the effect of the amendment was that it was to be a condition precedent to the nomination of any punchayet that there should have been a personal communication with the residents of each village, he (Mr. Thompson) certainly thought there would be great difficulties in giving effect to such an arrangement. If any general form of amendment were proposed that on the first introduction of the Act in any sub-division the magistrate should issue a notice explaining its purport, and then leave it optional with him personally to consult the villagers as to the persons who should be appointed to the punchayet, the amendment would be less objectionable; but if the intention of the amendment was that the Act could not be introduced without this additional expense and trouble in every case, he (Mr. Thompson) was decidedly opposed to it.

BABOO ISSUR CHUNDER GHOSAL said that he had been in charge of a sub-division, and he was one of the first to carry out the provisions of Act XXVI. of 1850. He never felt any difficulty in going over half a dozen villages in the course of a morning; and as no sub-division contained more than from 200 to 300 villages, the work of holding personal communication with the residents of the villages in any sub-division could be done in the course of two or three months at the most. Looking to the results to be gained from the course proposed, he thought it would be no great hardship to the sub-divisional officers to require them to hold personal communication with the residents of the villages in which the Act was to be enforced, and it would afford great relief to the villagers themselves. It was a matter for the consideration of the superior executive authorities whether the sub-divisional officers should be required to perform this duty. But he thought any officer who had the least energy and heart to do his work would be able to effect these arrangements in his sub-division within two or three months. Consequently he (Baboo Issur Chunder Ghosal) did not see the force of the objection raised to the amendment.

The PRESIDENT said he thought that the amendment as it stood was hardly admissible, and it seemed to him that it was not a very desirable provision to introduce into the Bill at all. As it was, the words "personal communication with the residents of the village" were too general: it would be necessary to add the words "or some of them" after "residents of the village," and if that were done it would perhaps make the section more indefinite than the honorable member might wish. Still it did not appear to him (the President) that the amendment should be introduced with the general words "residents of the village," which might mean every resident.

Then he certainly objected to the concluding words of the amendment, requiring the magistrate to ascertain from the residents the names of the leading men of the village. He (the President) would prefer that the matter should be left to the executive Government, because he thought that on the whole these matters will be more easily and better provided for by rules framed by the Government than by a clause in the Act. If the council on the whole were of opinion that this Act should not be introduced in any village until some officer had held personal communication with the residents or some of them, and had explained to them the general duties of a punchayet, then he thought that the provision, if amended as he had suggested, would not be so objectionable.

Mr. MONKEY said that the effect of the objections taken to the amendment proposed by him appeared to be that the amendment, though good in principle, was difficult to put into practice. For his own part he could not say that he agreed as to the difficulty of carrying the proposed provision into practice. It appeared to him that the objections that had been taken arose from a misunderstanding of the scope of the amendment. It was not intended that the sub-divisional officer should go to each village to make the explanation required, and

ascertain the wishes of the villagers as to the men to be appointed members of the punchayet. There had been nothing of that sort said or intended. He (Mr. Money) thought there should be personal communication between some officer and the residents of the villages in which the Act was about to be introduced. The manner in which such communication would take place would probably be as follows. The officer would pitch his tent at some large village and send for the residents of the neighbouring villages, and there explain generally the object and purport of the law, and ascertain the names of the leading men in each village. If it was impossible for the sub-divisional officer to do this within four or five months, it would be still more impossible for him to do what last Saturday the council by the law then passed contemplated every sub-divisional officer doing—namely, personally to conduct the enquiries necessary for the proper assessment and collection of the income tax. Here it was only necessary to make one explanation for each village, but in the assessment and collection of the income tax the means and profits of many individuals must be enquired into. He (Mr. Money) did not anticipate any such difficulty as had been represented in carrying out the provision contained in his amendment.

With regard to the suggestion which fell from his honor the president, to introduce the words "or some of them" after "residents of the village," and to leave out the last portion of the amendment as being somewhat vague, he (Mr. Money) would be happy to comply with that suggestion, because what was really required, namely, personal communication between the magistrate and the villagers, would still be secured. All he wanted was to secure such communications. It could not well take place without the opinion of the villagers being ascertained as to the persons they would wish to have appointed. He would, therefore, by leave of the council, withdraw his motion, and substitute the following:—

"Provided also that no punchayet shall be appointed in any village until some officer exercising any of the powers of a magistrate shall, in personal communication with the residents of that village or some of them have explained to them the general duties of a punchayet."

MR. THOMPSON said his objection partly was to the delay which the amendment would cause in the introduction of the Act throughout a sub-division, and partly because the object sought by the amendment would best be realised by rules framed by the executive Government. Where the law was silent as to the definite mode of procedure, there would be an absence of obligation in every case, and much would be left to the discretion of the local magistrate. As he had before said, the interest which the Government took in this Bill was a sufficient guarantee that the rules for carrying it into effect should be laid down with the greatest care and enforced with the greatest strictness. It was intended that the law should be introduced gradually and tentatively to avoid as far as possible the least cause for dissatisfaction. He was in hopes that when the Bill was once introduced in any place its success would stimulate the desire for its extension into other districts, and when that happened and the people were carried along with us, there would be no necessity for such an obligatory provision as the hon'ble member proposed.

The council then divided:—

AYES 6.

Baboo Joteendro Mohun Tagore,
Mr. Wyman,
Baboo Chunder Mohun Chatterjee,
Issur Chunder Ghosal,
Mr. Schalch,
" Money.

The motion was therefore carried.

On the motion of MR. THOMPSON some verbal amendments were made in section 41.

The postponed sections 48 to 50 related to the appointment of munduls in villages in which punchayets were not appointed.

MR. THOMPSON said he had considered the observations that had been made on these sections, but, would nevertheless maintain the principle on which they were based. He thought that, with the amendments of which he had given notice, they were not fairly open to the objections that had been taken to them. He would move in section 48 the insertion of the words "with the consent of such resident" after "village" in line 9, and the addition to the section of the words "for the purposes of this Act."

BABOO JOTEENDRO MOHUN TAGORE said that he would once more beg leave to represent the extreme hardship of the position in which the zemindar would be placed by the Bill requiring him to do what he was powerless to do, and then imposing on him a heavy penalty for not complying with the requisition. Where the zemindar had a mundul he might be able to make the nomination, but even in such cases it was not likely that the mundul would always be willing to undertake such heavy responsibilities. In the villages in the Eastern districts the zemindars had no munduls, and in such cases, if the zemindar was obliged to make a nomination, and the nominee withheld his consent, the zemindar would be placed in a very difficult position, for he had no power to compel any person to accept the office of mundul if he did not choose to act; and even in villages where there were munduls, it would be placing the zemindar too much in their hands, inasmuch as they would be in a position to dictate their own terms before they consented to accept the responsibilities which this Bill proposes to attach to the office, knowing that there was a heavy penalty for the zemindar if he failed to make nomination,

NOES 4.

Mr. Thompson,
The Hon'ble Ashley Eden,
The Acting Advocate-General,
The President.

while they could with perfect impunity refuse to act. He (Baboo Joteendro Mohun Tagore) would therefore oppose the amendment.

The Hon^{ble} ASHLEY EDEN said, that in addition to what he had stated on a former occasion it seemed to him that the zemindar was already bound to report to the police certain classes of offences occurring within any of his estates, and for this purpose he must possess some agency in every village within his estate. The zemindars would therefore, for the purposes of this Bill, naturally select the persons on whom they at present depended for making reports to the police. He (Mr. Eden) thought there could be no hardship in requiring a zemindar to employ one servant in each village: whatever he paid now he would continue to pay, and he would be exactly in the same position as before.

BABOO JOTEENDRO MOHUN TAGORE said the honorable member who spoke last had not taken into consideration the case of the Eastern districts to which reference had been made. In those districts the zemindar merely had his general gomashtha, and consequently had to pay no one for conveying information to the police. But the gomashtha could not be made mundul, because he was not a resident of that particular village. He (Baboo Joteendro Mohun Tagore) would suggest that on the zemindar reporting to the magistrate that the person whom he nominated refused to act, some penalty should be imposed on the person so refusing; but if no remedy was given to the zemindar it would be placing him in a very false and precarious position.

BABOO ISSUR CHUNDER GHOSAL said he did not see the advantage of inserting the words "with the consent of such resident." Suppose a zemindar chose to nominate a person with whom he was at feud, that person would never give his consent to such nomination.

THE PRESIDENT observed that from the wording of section 50 it would appear that the insertion of these words in section 49 was intended, and only inadvertently omitted.

MR. SCHALCH said, no doubt it was intended that the consent of the person nominated should be secured, because otherwise the zemindar had only to nominate any person, whether he consented to act or not, and if the person refused to act as mundul, the zemindar could not be required to make a fresh nomination.

MR. THOMPSON said, when we considered the very limited extent to which these sections would apply, as they were only applicable to the few villages in which there were less than 60 houses, or which could not be formed into unions, he did not see that there was any better alternative for the council to adopt. In almost all villages the zemindar had some person to attend to his work, with whom he could easily make arrangements to perform these duties.

The council then divided:—

AYES 8.

Mr. Wyman.
Baboo Chunder Mohun Chatterjee.
Mr. Schalch.
" Thompson.
" Money.
The Hon^{ble} Ashley Eden.
The Acting Advocate-General.
The President.

NOES 2.

Baboo Joteendro Mohun Tagore.
" Issur Chunder Ghosal.

The motion was therefore carried.

BABOO JOTEENDRO MOHUN TAGORE moved the addition to the section of the following Proviso:—

"Provided that when more persons than one may be zemindars of the village the person having the largest interest shall be required to nominate such mundul; where all or any such person or persons have an equal interest, it shall be in the discretion of the magistrate to require any one of such persons to make such nomination."

After some conversation—

MR. THOMPSON said, that considering the trouble that the settlement of these sections had involved, and the very little good that was likely to ensue from their operation; considering further, that the general regulations required zemindars to report the occurrence of certain crimes within the limits of their estates, he (Mr. Thompson) thought it would be better to omit these sections altogether. After the Bill was republished the council might take into consideration the advisability of introducing some provisions in the Bill which should maintain in all its strictness the liability of the zemindar to report crime in such places. He would therefore move that sections 48, 49, and 50 be omitted.

The motion was agreed to.

On the motion of MR. THOMPSON verbal amendments were then made in sections 54, 52 and 89, and the preamble and title were agreed to.

The council was adjourned to Saturday, the 4th June.

Proceedings of the Council of the Lieutenant-Governor of Bengal for the purpose of making Laws and Regulations.

Saturday, the 4th June 1870.

Present:

HIS HONOR THE LIEUTENANT-GOVERNOR OF BENGAL, *presiding.*

J. GRAHAM, Esq., *Acting Advocate-General,*
THE HON'BLE ASHLEY EDEN,
A. MONEY, Esq., C.B.,
A. R. THOMPSON, Esq.,
V. H. SCHALCH, Esq.,

BABOO ONOOCOOL CHUNDER MOOKERJEE,
BABOO CHUNDER MOHUN CHATTERJEE,
T. M. ROBINSON, Esq.,
AND
F. F. WYMAN, Esq.

THE HON'BLE ASHLEY EDEN moved that the Bill to appoint commissioners for making improvements in the port of Calcutta be re-considered in order to the settlement of the clauses. The motion was put and agreed to.

On the motion of MR. EDEN, the following amendments were made in the Bill:—

The blank space in section 7, which related to the amount of debt due from the commissioners to the Secretary of State for India, was filled up with the words "ten lakhs of rupees."

Section 8 was struck out, and the following sections were substituted for it:—

"VIII.—The said amount shall be repaid by the said commissioners to the said Secretary of State by triennial instalments of such amount and at such times as in Schedule (B) to this Act are appointed for the payment thereof; and every other sum which may become due from the commissioners to the said Secretary of State shall be, in like manner, by them repaid to him in ten equal-triennial instalments, each of one-tenth of the amount of such sum,—the first of such instalments to be paid on the 1st day of April which shall be next after the completion of twenty-four calendar months from the day on which such sum shall become due, and the other instalments to be paid respectively on the 1st day of April in every third year, computing from the day fixed from the payment of the first of such instalments."

"VIII A.—Interest at the rate of $\frac{1}{4}$ per cent. per annum shall be paid by the commissioners to the said Secretary of State upon all sums which, for the time being, may be due to him from them upon the 31st day of March and the 30th day of September in each year, the first of such payments of interest upon the said sum of ten lakhs to be calculated from the 1st day of August 1870, and to be made on the 31st day of March in the year 1871; and the first of such payments of interest in respect of any other sum which may become due or payable from the said commissioners to the said Secretary of State to be calculated from the day on which such sum shall become due, and to be made on the 31st day of March, or the 30th day of September, whichever may first happen next after such sum shall have become due."

A verbal amendment was made in section 17.

Section 47 was as follows:—

"At a special general meeting to be held in the month of February in each year, the salaried chairman or salaried vice-chairman shall lay before the commissioners a separate estimate of the expenditure and income of the commissioners under this Act for the year commencing on the 1st day of April then next succeeding, in such form as the Lieutenant-Governor of Bengal shall, by an order published in the *Calcutta Gazette*, direct, provided always that such estimate shall be completed and printed, and a copy thereof sent by post or otherwise to each commissioner, at least ten clear days prior to the meeting before which the estimate is to be laid."

The words from the beginning to "next succeeding" were omitted, and the following words were substituted for them:—

"The salaried chairman or salaried vice-chairman shall, at a special general meeting to be held within two months after the commencement of this Act, lay before the commissioners a separate estimate of the expenditure and income of the commissioners for the period which shall be to come from the commencement of this Act up to the 1st day of April; and shall also, at a special general meeting to be held in the month of February in each year, lay before the commissioners a like estimate of such income and expenditure for the year commencing on the 1st day of April then next ensuing. Every such estimate shall be—

Verbal amendments were made in sections 49, 55, 57, and 58.

The following new section was introduced after section 59:—

"Whenever any goods shall be landed by the commissioners from any vessel under the powers by this Act conferred on them, they shall, if thereunto required, give to the person in charge of such vessel a receipt in the form or to the effect in Schedule D set forth, and may in any such receipt include all goods landed from such vessel during one day; and no person to whom such receipt shall have been so given, nor the master nor owner of the vessel from which the goods in respect of which such receipt shall be given may have been landed, shall be liable for any loss or damage to such goods which may occur after they shall have been so landed."

Verbal amendments were made in sections 60, 61 and 62.

The following words were added to section 67:—

"And the said goods shall remain subject to all liens to which they would have been liable if they had remained in the possession of the commissioners, and to the power of sale hereinafter given."

A verbal amendment was made in section 87.

On the motion of MR. SCHALCH verbal amendments were then made in sections 67 and 68.

After some formal and verbal amendments made, on the motion of Mr. EDEN, in sections 88, 89, and 98—

The following schedules were introduced before Schedule C:—

"SCHEDULE A.—(referred to in Section 7.)"

Details of the several sums to be taken as due from the commissioners for making improvements in the port of Calcutta to the Secretary of State for India in Council.

	Estimated Cost of work.
Improvement of the river bank at Calcutta near Jaggernaut ghaut for the accommodation of the country boat traffic, ...	1,17,098
Constructing four screw-pile jetties, with steam cranes and goods' sheds, on the strand bank, Calcutta ...	5,28,500
Making lots Nos. 13 to 24 on the strand bank, Calcutta, available for export traffic ...	11,913
Constructing two screw-pile jetties, with tramways, cranes, and hoists, opposite the existing north Custom House shed on the strand bank, Calcutta ...	2,15,415
Constructing offices, &c., for the use of the officers employed on the new jetties on the strand bank, Calcutta ...	12,010
Supplying two steam hoists for single crane jetties, Nos. 1 and 3, on the strand bank, Calcutta ...	4,585
Minor works and expenses, contingent and establishment charges, and cash balance made over ...	1,10,541
Total ...	10,00,000

"SCHEDULE B.—(referred to in Section 7.)"

Sums to be paid in discharge of the principal of the amount by section 8 declared to be due from the commissioners to the Secretary of State, and times fixed for such payment.—

							Rupees
1st	August	1873	...	...	...	...	1,00,000
"	"	1876	...	...	...	...	1,00,000
"	"	1879	...	...	...	...	1,00,000
"	"	1882	...	...	...	...	1,00,000
"	"	1885	...	...	...	...	1,00,000
"	"	1888	...	...	...	...	1,00,000
"	"	1891	...	...	...	...	1,00,000
"	"	1894	...	...	...	...	1,00,000
"	"	1897	...	...	...	...	1,00,000
"	"	1900	...	...	...	...	1,00,000

And the following schedule was introduced after Schedule C:—

"SCHEDULE D.

FORM OF RECEIPT FOR GOODS.

By the commissioners for making improvements in the port of Calcutta.

Landed during the day of ... from the ... by the commissioners for making improvements in the port of Calcutta the ... noted in the margin (if there be any apparent injury this is to be stated), contents and state of the contents unknown.

For the commissioners for making improvements in the port of Calcutta.

A. B."

CALCUTTA:
day of 18 . }

Section 84 was as follows:—

"No new work, the estimated cost of which shall exceed two thousand rupees, shall be commenced by the commissioners, nor shall any contract be entered into by the commissioners in respect of any such new work until a plan and estimate of such work shall have been determined on and approved by the commissioners at a meeting, and shall have been thereafter submitted to the Lieutenant-Governor of Bengal and sanctioned by him in an order published in the *Calcutta Gazette*; and in case the estimated cost of any such new work shall exceed two lakhs of rupees, the said Lieutenant-Governor shall not sanction the same until such plan and estimate shall have been submitted to the Governor General of India in Council and approved by him."

On the motion of Mr. EDEN, an amendment was made in this section to the effect that the sanction of the Lieutenant-Governor should only be necessary in case the cost of any new work should exceed ten thousand rupees.

The council was adjourned to Saturday, the 11th June.

Table exhibiting the number and description of Native Emigrants who have left Calcutta for British Guiana from the year 1861 to 1870, and the numbers returned therefrom during the same period, with the amount of their savings, remittances, &c.

Years.	Colony.	EMIGRATED.						RETURNED.						Amount of saving remitted through the Government.	Amount deposited with the Surgeon Superintendent for safe custody.	Amount brought on their persons.	Total.	REMARKS.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
		Men.			Women.			Boys.			Girls.								Adults.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
		Boys.	Girls.	Boys.	Girls.	Boys.	Girls.	Boys.	Girls.	Boys.	Girls.	Boys.	Girls.						Boys.	Girls.	Boys.	Girls.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																								
1861-62	British Guiana	3,169	806	161	126	55	59	4,366	4,108½</

* Our individual, besides the sum he remitted through the Government, had a bill of exchange on the Oriental Bank at Calcutta for 2414-13-4.
 Note.—There have been no remittances by coolies resident in the colony to their friends in India during these years.

J. G. GRANT,

Off. Protector of Emigrants.

Table exhibiting the number and description of Native Emigrants who have left Calcutta for Trinidad from the year 1861 to 1870, and the numbers returned therefrom during the same period, with the amount of their savings, remittances, &c.

Y. EARS.	Colony.	EMIGRATED.						RETURNED.						Amount of savings remitted through the Government.	Amount deposited with the Surgeon Superintendent for safe custody.	Amount brought on their persons.	Total.	REMARKS.			
		Men.			Women.			Boys.			Girls.								Adults.		
		Infants.		Souls.	Infants.		Souls.	Infants.		Souls.	Infants.		Souls.						Infants.		Souls.
		Boys.	Girls.	Boys.	Girls.	Boys.	Girls.	Boys.	Girls.	Boys.	Girls.	Boys.	Girls.						Boys.	Girls.	Boys.	Girls.
1861-62	Trinidad ...	1,553	343	78	86	8	13	2,030	1,053	233	33	10	17	3	4	269	268½	41,860 7 4	Per ship <i>Brooklyn Castle</i> , arrived here 17th April 1866.		
1862-63	Ditto ...	1,042	253	44	25	12	13	1,369	1,329½	...	...	...	...	...	...	...	...	...	...
1863-64	Ditto ...	1,080	243	51	28	26	5	1,432	1,362½	...	...	...	...	...	...	...	...	...	...
1864-65	Ditto ...	1,044	250	59	51	22	24	1,450	1,349	...	...	...	...	...	...	...	...	...	...
1865-66	Ditto ...	858	330	154	104	36	26	1,498	1,307	328	83	38	35	4	4	492	447½	1,40,000 0 0	Per ship <i>British Trident</i> , arrived here 13th September 1866.		
1866-67	Ditto ...	1,739	819	201	150	38	48	2,993	2,733½	...	...	...	...	...	...	...	...	...	...
1867-68	Ditto ...	1,197	517	58	38	11	19	1,810	1,763	...	...	...	...	...	...	...	...	...	...
1868-69	Ditto ...	1,328	564	148	107	61	40	2,248	2,019½	1	...	...	...	...	...	1	1	7,000 0 0	Man named Ram-yard who paid his own passage by steamer and London.
1869-70	Ditto ...	1,437	823	497	192	95	91	2,935	2,504½	203	78	34	29	14	11*	369	312½	1,60,877 0 8	Per ship <i>Arina</i> , arrived here 21st August 1869.		
	Total ...	11,276	4,182	1,090	731	309	276	17,816	16,390½	755	193	82	81	21	19	1,151	1,029½	3,49,737 8 0			

* NOTE.—Of this sum, one man named Heera brought with him Rs. 15,000 in addition to that remitted through the Government.

J. G. GRANT,
Offg. Protector of Emigrants.

Table exhibiting the number and description of Native Emigrants who have left Calcutta for Jamaica from the year 1861 to 1870, and the number returned therefrom during the same period, with the amount of their savings, remittances, &c.

Y ^{rs} .	Colony.	EMBARKED.						RETURNED.						Amount of savings remit- ted through the Government.	Amount de- posited with the Surgeon- Superinten- dent for safe custody.	Amount brought on their persons.	Total.	REMARKS.
		Men.	Women.	Boys.	Girls.	Infants.		Men.	Women.	Boys.	Girls.	Infants.						
						Boys.	Girls.					Boys.	Girls.					
1861-62	Jamaica	1,545	414	106	65	20	11	2,161	2,044	No emigrants have returned from Jamaica since the year 1861.	
1862-63	Ditto	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
1863-64	Ditto	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
1864-65	Ditto	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
1865-66	Ditto	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
1866-67	Ditto	1,034	435	97	66	25	18	1,705	1,590	...	...	...	...	...	...	...
1867-68	Ditto	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
1868-69	Ditto	873	343	78	36	35	36	1,425	1,368	...	...	...	...	...	...	...
1869-70	Ditto	567	236	46	24	25	26	924	838	...	...	...	...	...	...	...
	Total	4,019	1,463	327	311	105	91	6,216	5,751		

J. G. GRANT,
Offg. Protector of Emigrants.